COMMONWEALTH of VIRGINIA

Chesapeake Bay Nutrient and Sediment Reduction
Tributary Strategy for the

James River, Lynnhaven and Poquoson Coastal Basins

March 2005

COMMONWEALTH of VIRGINIA

Office of the Governor

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March 2005

To the Citizens of the James River Basin:

The James River and the Chesapeake Bay are degraded. Excess amounts of nitrogen, phosphorus and sediment flow into the bay and its tributaries from the land, from the air, from wastewater treatment plants and from industrial facilities. These nutrients and sediment foul our waters and harm the finfish, shellfish, aquatic plants and other organisms that make up the bay's fragile ecosystem.

We also suffer economically from impaired rivers and Chesapeake Bay. The Bay's living resources and its economic potential are compromised by poor water quality. Commercial and recreational fisheries will benefit from cleaner water as will the broader economy.

This "Tributary Strategy" document is a first step in meeting the necessary reductions of nutrients and sediments called for in the multi-state effort to improve our waters proposed in the Chesapeake Bay Agreement of 2000. This strategy, along with those being prepared for Virginia's other tributary basins and those by Maryland, Pennsylvania, New York, Delaware, West Virginia and the District of Columbia, define the nutrient and sediment reduction actions necessary across the bay's 64,000 square mile watershed.

This document was first released to the public in April 2004 and has been revised based on public comment and additional work by our natural resource agencies. It should be considered interim and it will be finalized when the State Water Control Board adopts new water quality standards for the James. Individual nutrient and sediment reduction plans for our other tributary basins, the Shenandoah/Potomac, the Rappahannock, the York and the bayside creeks and embayments of the Eastern Shore have been developed as well.

This strategy has been constructed within the parameters set by the Chesapeake Bay Program model, and over the preceding months considerable time has been spent "crunching the numbers" so that our plans could be evaluated by the model. While these arithmetic calculations are important to define the suite of management actions we must take in the future, they are only a first step in the implementation process. The model is a tool to assist us in directing our actions. The implementation of our strategies will take place on the ground as we work treatment plant by treatment plant, farm by farm, parking lot by parking lot, and locality by locality. These strategies must have the flexibility to address real world issues, not just the issues raised by the Chesapeake Bay Program model.

Our efforts to improve and refine these tributary strategies will not end with the publication of this document. It will continue as we seek to achieve our reductions and cap those reductions over time. We will learn more in the future and we will continue to refine our strategies to account for new knowledge, emerging technologies and changing conditions. This is a living document that will undergo revisions from time to time.

After you have reviewed this document, I ask that you take this message with you. The restoration of the James River and the Chesapeake Bay is possible; however, it will not come without the commitment of substantial public and private resources and programs that ensure that management practices are adopted and maintained. Without such actions the promises we have made to restore the bay and its rivers have no meaning. Without such actions, the economic and environmental benefits of a restored bay will not be realized.

Thank you for your support of the efforts outlined in this letter and the attached document to improve the health of the James River and the Chesapeake Bay.

With kind regards, I am,

Sincerely,

W. Tayloe Murphy, Jr.

W. Tayloe Murphy, Jr.

Executive Summary

This ***Chesapeake Bay Nutrient and Sediment Reduction Tributary Strategy for the James River, Lynnhaven and Poquoson Coastal Basins*** reflects a continuation of Virginia's commitment to improving local water quality and the water quality and living resources of the Chesapeake Bay. With its roots in the 1983 creation of the Chesapeake Bay Program, the strategy builds on previous efforts and looks to shape actions in a large and diverse watershed over the next five years and beyond. The reduction goals are far greater than any set before.

Developed through a partnership between natural resources agencies and local stakeholders, this strategy provides options for meeting ambitious reductions in nitrogen, phosphorus and sediment and outlines future actions and processes needed to maintain these levels in the face of a growing population. The estimated cost of Virginia's combined tributary strategies is just under $10 billion.

The James is the largest of Virginia's Chesapeake Bay watersheds, stretching from the West Virginia border east to the mouth in Hampton Roads. The challenges in developing a strategy for such a diverse watershed, and nearby coastal basins, were many.

This nation was born on the banks of the James River. But, it is also a distinctly Virginia river. The James runs 340 miles through the heart of Virginia from the Allegheny Mountains to the Chesapeake Bay. It is the nation's longest river to be contained in a single state. The mountain streams, Piedmont creeks and tidal marshes share the watershed with mountain villages, rolling pastures and broad expanses of croplands. It also is home to several of the state's largest cities including Lynchburg, Charlottesville, Richmond and the cities of Hampton Roads. In addition to the James River watershed this strategy also covers the adjoining Poquoson, Back River, Little Creek and Lynnhaven coastal basins.

A successful nutrient and sediment reduction strategy will have significant impacts on water quality in the creeks, streams and rivers that feed the James River and these coastal basins. Likewise, along with strategies being developed for other Bay tributaries in Virginia, Maryland, Pennsylvania, West Virginia, New York and Delaware, they will have a cumulative effect on the waters and living resources of the Chesapeake Bay.

Since its inception in the early 1980s the Bay Program has identified an over abundance of nutrients as the most damaging water quality problem facing the Bay and its tributaries. High levels of nutrients, primarily phosphorus and nitrogen, over-fertilize the Bay waters, causing excess levels of algae. These algae can have a direct impact on submerged aquatic vegetation by blocking light from reaching these plants. More importantly, these algae have an effect on levels of dissolved oxygen in the water needed by oysters, fish, crabs and other aquatic animals.

In 1992, Virginia joined her Chesapeake Bay Program partners in determining that the most effective means of reaching that water quality goal would be to develop tributary-specific strategies in each Chesapeake Bay river basin.

The tributary strategy approach is born of the realization that our actions on the land have a major impact on the waters into which they drain. This is particularly true in the 64, 000 square mile Chesapeake Bay watershed, where the ratio of land to water is 14:1. This approach also allowed stakeholders in each basin to address its mix of pollutants from point sources (i.e. wastewater treatment plants and industrial outflows) and nonpoint sources (runoff from farms, parking lots, streets, lawns, etc.).

Late in 1996, Virginia released its first tributary strategy, the ***Shenandoah and Potomac River Basins Tributary Nutrient Reduction Strategy***. In 1999 and 2000 stakeholders within Virginia's lower Bay basins published the strategy documents for the Rappahannock, York, James and Eastern Shore basins after several years of collaborative work. The primary purpose of these lower basin strategies was to restore habitat conditions, particularly dissolved oxygen and underwater vegetation, in order to support living resources in the specific river basins.

While progress was being made in removing nutrients from the waters throughout the Chesapeake Bay watershed as the result of tributary strategies, nutrient enrichment remained a problem in the Bay's tidal waters. Beginning in 1998, the U.S. Environmental Protection Agency proposed implementation of a TMDL (Total Maximum Daily Load) regulatory program under Section 303(d) of the Clean Water Act to address nutrient-related problems in much of Virginia's Chesapeake Bay and tidal tributaries. In May 1999, EPA included most of Virginia's portion of the Bay and several tidal tributaries on the federal list of impaired waters based on failure to meet standards for dissolved oxygen and aquatic life use attainment.

The placement of the Bay on the EPA impaired waters list occurred contemporaneously with the entry of a consent decree the provisions of which are binding on Virginia since it was a party to a settlement between EPA and several national environmental organizations. The settlement regards the provisions of the Clean Water Act requiring the establishment of Total Maximum Daily Loads for waters not meeting applicable water quality standards. In June of 1999 the parties entered into a court approved consent decree, which gives Virginia the opportunity to develop a number of identified TMDLs, but requires EPA to establish these TMDLs if Virginia fails to meet the schedule contained in the decree.

In June 2000, members of the Chesapeake Executive Council signed a new comprehensive Bay Agreement. ***Chesapeake 2000, A Watershed Partnership*** is seen as the most aggressive and comprehensive Bay agreement to date. Designed to guide the next decade of Bay watershed restoration**,** ***Chesapeake 2000*** commits to "achieve and maintain the water quality necessary to support the aquatic living resources of the Bay and its tributaries and to protect human health."

This effort has resulted in nutrient reduction goals that are much more protective to the Bay and its tributaries than those agreed to in the past. Bay Program partners have agreed to base their success on the attainment of water quality standards, not simply pollution load reductions. These standards strive to meet established criteria for the Bay's designated uses. Bay partners chose designated uses based on living resources' habitat needs – shallow water, open water, deep water, deep channel, and migratory and spawning areas.

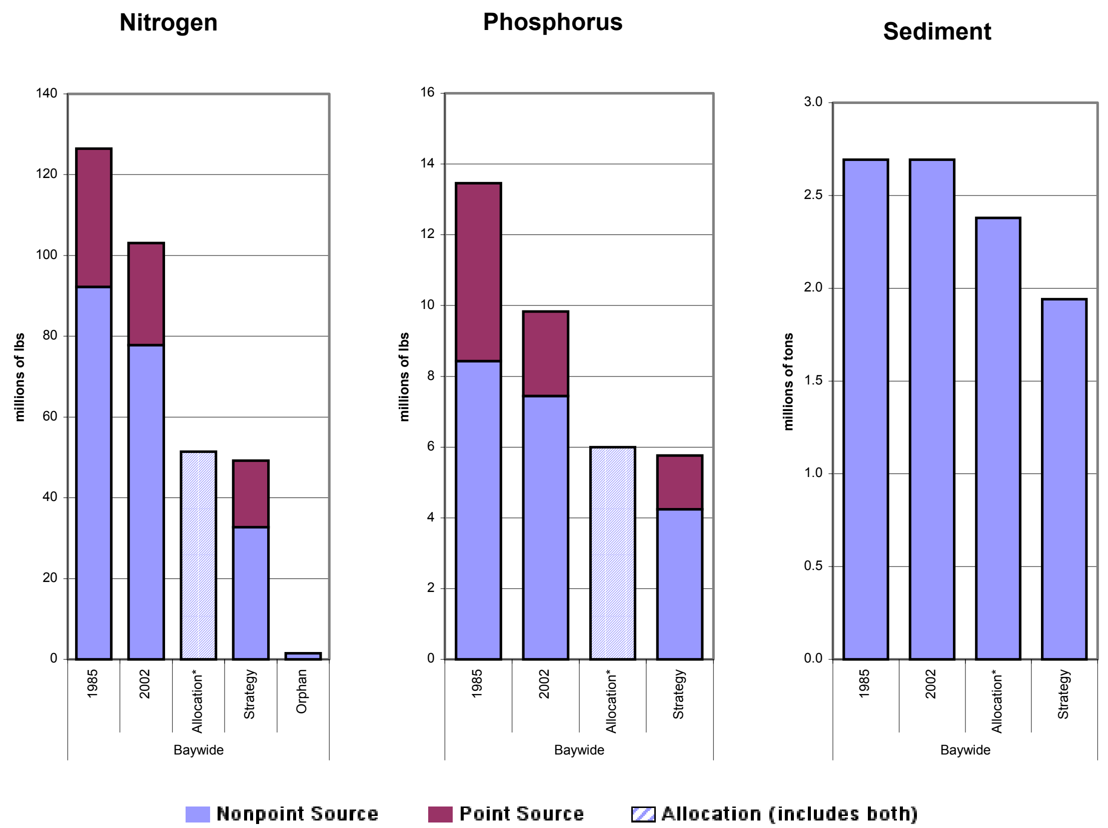
For the first time, partners developed criteria that take into account the varying needs of different plants and animals and the differing conditions found throughout the Bay. The criteria are water clarity, dissolved oxygen and chlorophyll a. In addition to being the focus for the reduction goals or allocations for tributary strategies, these criteria will serve as the basis for the revision of water quality standards for Virginia's tidal waters. This regulatory action is taking place simultaneously to the tributary strategy process.

To determine optimal nutrient and sediment allocations, Bay watershed partners developed several simulations for analysis by the Chesapeake Bay Watershed and Water Quality models. Each simulation, or scenario, allows Bay scientists to predict changes within the Bay ecosystem due to proposed management actions taking place throughout the Bay's 64,000-square-mile watershed.

The resulting nutrient reduction goals, or allocations, call for Bay watershed states to reduce the amount of nitrogen entering the Bay and its tidal tributaries from the current 277 million pounds to no more than 175 million pounds per year, and phosphorus from 19.4 million pounds to no more than 12.8 million pounds per year. When coordinated nutrient reduction efforts began in 1985, 338 million pounds of nitrogen and 27.1 million pounds of phosphorus entered the Bay annually.

At the agreed upon allocations, the model predicts that we will see a Bay similar to that in the 1950s. Proposed water quality standards will be met in 96 percent of the Bay at all times, and the remaining four percent would fall shy of fully meeting the proposed standards for only four months a year.

Virginia Chesapeake Bay Nutrient and Sediment Allocations and Strategy Goals



Note: Because the allocations for the York and James are interim, final total allocations will be established following the adoption of new water quality standards in 2005 for Virginia's tidal waters.

Bay Program partners determined specific allocations for each major basin. Allocations for basins that cover more than one state were divided by jurisdiction. The new cap allocation for total nitrogen in the Virginia's portion of the Bay basin is 51.4 million pounds per year, compared with an actual load of 77.8 million pounds in 2002. The new cap allocation for phosphorus is six million pounds, compared with an actual load of 9.84 million pounds in 2002. The new cap allocation for sediment is 1.94 million tons per year, compared with 2.38 million tons in 2002. This sediment allocation does not include loading from shoreline erosion.

The new nitrogen allocation for the James River strategy is 26.4 million pounds per year, a 29 percent reduction from the estimated load of 37.26 million pounds in 2002. The allocation for phosphorus is 3.41 million pounds compared with an estimated load of 5.95 million pounds in 2002, a 43 percent reduction. The sediment allocation is 930,000 tons per year, compared with and estimated 1.17 million tons in 2002, a 21 percent reduction. This sediment allocation does not include loads from shoreline erosion in the tidal region of the river basin.

However allocations for the James and York rivers present a special case. Of all of Virginia's rivers, the James and York do not significantly affect dissolved oxygen conditions in the mainstem of the Chesapeake Bay. Therefore, as was recognized when the total allocations were established through the Chesapeake Bay program, final James and York allocations will be considered *interim* until final water quality standards are adopted by the Virginia State Water Control Board and approved by the United States Environmental Protection Agency. Because the total Virginia allocations for nitrogen and phosphorus are the sum of the allocations for each of Virginia's five basins, the total allocations may change as well.

While each basin had specific nutrient and sediment load allocations to reach, they are a part of overall Virginia Chesapeake Bay nutrient and sediment reduction goals. As the result of the efforts by state staff and stakeholders in all five basins, Virginia has crafted a series of strategies that surpassed Virginia's nitrogen, phosphorus and sediment goals.

To reach these ambitious new reduction goals, the current tributary strategy must build on previous water quality improvements. The strategy looks at the agricultural nonpoint source practices and wastewater treatment plant reductions that were critical to the earlier plans to see where practices could be increased. This strategy also looks more closely at measures involving land use, urban nutrient management and stormwater management that will need to play key roles in meeting the new basin allocations.

Early in the tributary strategy planning process, state staff worked with local stakeholders to develop tributary strategy plans composed of a variety of local pollution abatement techniques, summarized in an "input deck." The objective was to involve and gain support of stakeholders and local governments. Tributary strategy team meetings were held in each basin, during which participants devised strategies they felt were realistically achievable. Once completed input decks were run through the Bay Program's Watershed Model to see if they would meet each basin's nutrient and sediment cap load allocations. If the plans failed to meet the cap load allocations, state staff more familiar with workings of the watershed model incorporated suggestions and concerns of local stakeholders whenever possible into more aggressive input decks.

This draft tributary strategy input deck met or came close to the allocations in all basins and was released as Virginia's draft strategies, open for public comment. The final tributary strategy input decks reflect changes based largely on suggestions received during the public comment period and the expertise of state staff.

Basin wide the nonpoint source input deck calls for BMPs installed and maintained on 92 percent of all available agricultural lands, 85 percent of all mixed open lands, 74 percent on all urban lands and 60 percent of all septic systems.

In August 2004, Virginia Secretary of Natural Resources W. Tayloe Murphy, Jr., issued a statement on revisions to the draft strategies regarding point source controls. A set of "Guiding Principals" were included, which have now been applied as the basis to set annual waste load allocations for the significant nutrient discharges in the Bay watershed. These are reflected in this documents point source input decks.

The point source guiding principles are:
1. Achieve the nutrient reductions necessary to restore the Chesapeake Bay and its tidal tributaries in the timeframe set by the Chesapeake 2000 Agreement;
2. Provide for the full use of existing design capacity at each of the significant municipal and industrial wastewater treatment plants; and,
3. Apply currently available, stringent nutrient reduction technologies at these treatment plants.

This policy directive has been incorporated into revisions that The Virginia Department of Environmental Quality proposes for the Water Quality Management Plan (WQMP) Regulation (9-VAC-25-720), which is now moving through the public process. Annual point source **waste load allocations**, using a combination of **current permitted design capacity** and **the following nutrient concentrations**, have been recalculated for each of the tributary strategy basins, in accordance with the Secretary's statement:

Tributary	**Values Used to Set Waste Load Allocations**	
	Annual Average Nitrogen Concentration	**Annual Average Phosphorus Concentration**
Shenandoah Potomac (above fall line) Rappahannock Eastern Shore	4.0 mg/l	0.3 mg/l
Potomac (below fall line)	3.0 mg/l	0.3 mg/l
James York	To be determined *(load allocations are "interim")*	To be determined *(load allocations are "interim")*

A further discussion of point source implementation is found in Section IV. The Secretary's point source statement is Appendix A.

Unlike point sources where treatment technologies can achieve specified nutrient reductions, nonpoint source controls are much more difficult to implement and maintain. They encompass multiple control strategies and must be placed on land by thousands of landowners, land managers, local governments and others.

In addition to the inherent difficulties in managing nonpoint source controls, the extent of the proposed practices contained in the "input decks" of the proposed strategies go far beyond what current programs with current resources can deliver and well beyond the highest participation levels ever achieved. All of the practices proposed cannot be implemented immediately.

The nonpoint source approach, under the coordination of the Virginia Department of Conservation and Recreation, is to refocus available tools, to steer new resources to

Virginia's strongest nonpoint source control programs, and to push them to maximize reductions across the landscape. These efforts will focus on seven programmatic areas:

1. Agricultural Best Management Practices (BMP) Acceleration
2. Expansion of Nutrient Management Planning and Implementation Efforts
3. The Consolidation and Strengthening of the Virginia Stormwater Management Program
4. Enhancing Implementation of the Virginia Erosion and Sediment Control Program
5. Strengthen Implementation of the Chesapeake Bay Preservation Act
6. Enhancement of the NPS Implementation Database Tracking Systems
7. Enhancing outreach, media and education efforts to reduce pollution producing behaviors

These broad implementation approaches set the general direction and provide information on programmatic priorities at the state level. However, more detailed strategic planning will be needed to carry reduction efforts forward. Most of this work will be done at the basin level. State staff will elicit input from existing tributary teams, other stakeholders and citizens of the individual basins. They will then work together to meet these ambitious and necessary nutrient and sediment reductions

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I. Introduction and Background

This ***Chesapeake Bay Nutrient and Sediment Reduction Tributary Strategy for the James River, Lynnhaven and Poquoson Coastal Basins*** reflects a continuation of Virginia's commitment to improving local water quality and the water quality and living resources of the Chesapeake Bay. With its roots in the 1983 creation of the Chesapeake Bay Program the strategy builds on previous efforts and looks to shape actions in a large and diverse watershed over the next five years and beyond. The reduction goals are far greater than any set before.

Developed as a partnership between natural resources agencies and local stakeholders, this strategy provides options for meeting ambitious reductions in nitrogen, phosphorus and sediment and outlines future actions and processes needed to maintain these levels in the face of a growing population and changing landscape.

The James is the largest of Virginia's Chesapeake Bay watersheds, stretching from the West Virginia border east to the mouth in Hampton Roads. The challenges in developing a strategy for such a diverse watershed, and nearby coastal basins, were many.

This nation was born on the banks of the James River. But, it is also a distinctly Virginia river. The James runs 340 miles through the heart of Virginia from the Allegheny Mountains to the Chesapeake Bay. It is the nation's longest river to be contained in a single state. The mountain streams, Piedmont creeks and tidal marshes share the watershed with mountain villages, rolling pastures and broad expanses of croplands. It also is home to several of the state's largest cities including Lynchburg, Charlottesville, Richmond and the cities of Hampton Roads. In addition to the James River watershed this strategy also covers the adjoining Poquoson, Back River, Little Creek and Lynnhaven coastal basins.

A successful nutrient and sediment reduction strategy will have significant impacts on water quality in the creeks, streams and rivers that feed the James and nearby coastal embayments. Likewise, along with strategies being developed for other Bay tributaries in Virginia, Maryland, Pennsylvania, West Virginia, New York and Delaware, this strategy will have a cumulative effect on the waters and living resources of the Chesapeake Bay.

Chesapeake Bay is North America's largest and most biologically diverse estuary, home to more than 3,600 species of plants, fish and animals. Approximately 348 species of finfish, 173 species of shellfish and more than 2,700 species of plants live in or near the Bay. It also provides food and shelter for 29 species of waterfowl, and more than one million waterfowl winter annually in the basin.

The plight and status of these species show that they will respond to the proper management practices. And, that much still needs to be done.

A history of restoration

In the early 1980s, the Chesapeake Bay was a resource in severe decline. Water quality degradation played a key role in the decline of living resources in the Bay and its tidal tributaries.

In 1983 the governors of Virginia, Maryland and Pennsylvania were joined by the mayor of Washington, D.C., the U.S. EPA administrator and the chairman of the tri-state legislative Chesapeake Bay Commission to sign an agreement to work toward the restoration of the Chesapeake Bay. This agreement created a multi-jurisdictional, cooperative partnership known as the Chesapeake Bay Program. The program sought to restore the Bay and its resources through shared, cooperative actions.

An over-abundance of nutrients was identified as the most damaging water quality problem facing the Bay and its tributaries. High levels of nutrients, primarily phosphorus and nitrogen, over-fertilize the Bay waters, causing excess levels of algae. These algae can have a direct impact on submerged aquatic vegetation (underwater grasses) by blocking light from reaching these plants. More importantly, these algae have an indirect effect on levels of dissolved oxygen in the water. As algae die off and drop to the bottom, the resulting process of biological decay depletes the surrounding bottom waters of oxygen, needed by oysters, fish, crabs and other aquatic animals.

The 1987 Bay Agreement recognized the role nutrients played in the Bay's problems and committed to reducing annual nitrogen and phosphorus loads into Bay waters by 40 percent by 2000. It was estimated that a 40 percent reduction would substantially improve the problem of low dissolved oxygen, which affects the Bay and many of its tributaries.

The signatories recognized that reducing the amount of pollution entering the Bay is a very complex process. In response, the three states and the District of Columbia have worked to adopt and implement interrelated programs including Virginia's Chesapeake Bay Preservation Act program to improve water quality through the regulation of non-point source pollution from land development. The act is a critical element of Virginia's multifaceted response to the Bay Agreement and established a unique cooperative program between state and local government aimed at reducing nonpoint source pollution.

The Bay Act was designed to improve water quality in the Bay and tributaries through wise resource management practices. Since the program recognized that the primary responsibility for land use decisions in Virginia lies with local governments, the Bay Act expanded local government authority to manage land development practices to improve water quality. Through local land use ordinances and comprehensive plans, local Bay Act Programs address nonpoint source pollution by identifying and preserving environmentally sensitive areas referred to as Chesapeake Bay Preservation Areas (CBPA's).

Nutrient reduction tributary strategies initiated

In 1992, Virginia joined her Chesapeake Bay Program partners in determining that the most effective means of reaching that water quality goal would be to develop tributary-specific strategies in each Chesapeake Bay river basin.

The tributary strategy approach is born of the realization that our actions on the land have a major impact on the waters into which they drain. This is particularly true in the 64,000 square mile Chesapeake Bay watershed, where the ratio of land to water area is 14:1. This approach also allowed stakeholders in each basin to address its mix of pollutants from point sources (i.e. wastewater treatment plants and industrial outflows) and nonpoint sources (runoff from farms, parking lots, streets, lawns, etc.).

Late in 1996 Virginia released the first tributary strategy, the *Shenandoah and Potomac River Basins Tributary Nutrient Reduction Strategy*. The result of more than three years of work, the strategy was developed cooperatively with local officials, farmers, wastewater treatment plant operators and other representatives of point sources and nonpoint sources of nutrients in the basin. As a result of the strong support for this grass-roots approach, the 1997 Virginia General Assembly adopted the Water Quality Improvement Act to provide cost-share funding for implementation of tributary strategies.

The *James River Basin Tributary Nutrient and Sediment Reduction Strategy*, released in July, 1998, provided information on water quality, habitat, and living resources conditions in the James River, summarized actions taken to date for reducing pollutants, and provided an overview of additional management actions that could further restore the health and productivity of the river. However, this initial strategy did not set forth specific restoration goals, as Chesapeake Bay Water Quality Model data was not yet available. Bay Model results became available toward the end of 1998.

In response to the availability of modeling data representatives from wastewater treatment plants, soil and water conservation districts, private environmental groups, industry, local government, and other stakeholders representing point sources and nonpoint sources of nutrients in the basin (known as the James River Technical Review Committee or TRC) worked collectively to develop goals for the reduction of nutrients and sediment in the James watershed. The focus of this round of strategy development was restoration in the James River itself, since monitoring and modeling work done to that point indicated that nutrient and sediment loads from the James had relatively little impact on water quality conditions in the mainstem Chesapeake Bay.

After several attempts, the James TRC was unable to reach consensus on nutrient and sediment goals for the basin. Therefore, state agency staff created goal recommendations based on output from the Chesapeake Bay Water Quality Model, which were outlined in the August 2000 follow-up report entitled ***Goals for Nutrient and Sediment Reduction in the James River.*** Those goals, as listed in the 2000 "Goals" report are as follows:

- For sediment loads, achieve a nine percent reduction from the levels that existed in 1985 for the entire basin by the year 2010.
- For all areas draining directly to the tidal fresh portions of the James, Biological Nutrient Removal (BNR) implementation at point sources and an equivalent reduction in nonpoint sources by 2010. This would result in a reduction of 32 percent nitrogen and 39 percent phosphorous, based on model simulation, in loading to the tidal fresh region from levels that existed in 1985.
- The net nutrient loadings to the lower estuary from all areas should not be allowed to increase and should be capped at 1996 levels. Growth in load coming from areas directly adjacent to the lower estuary should not exceed the reduced load coming from the tidal fresh portion of the river. The resulting zero net increase in loading to the lower estuary would prevent any degradation relative to current water quality conditions.

Chesapeake 2000, a watershed partnership

While progress was being made in removing nutrients from the waters throughout the Chesapeake Bay watershed as the result of tributary strategies, nutrient enrichment remained a problem in the Bay's tidal waters. Beginning in 1998, the U.S. Environmental Protection Agency proposed implementation of a TMDL (Total Maximum Daily Load) regulatory program under Section 303 (d) of the Clean Water Act to address nutrient-related problems in much of Virginia's Chesapeake Bay and tidal tributaries. In May 1999, EPA included most of Virginia's portion of the Bay and several tidal tributaries on the federal list of impaired waters based on failure to meet standards for dissolved oxygen and aquatic life use attainment.

The placement of the Bay on the EPA impaired waters list occurred contemporaneously with the entry of a consent decree the provisions of which are binding on Virginia since it was a party to a settlement between EPA and several national environmental organizations. The settlement regards the provisions of the Clean Water Act requiring the establishment of Total Maximum Daily Loads for waters not meeting applicable water quality standards. In June of 1999 the parties entered into a court approved consent decree, which gives Virginia the opportunity to develop a number of identified TMDLs, but requires EPA to establish these TMDLs if Virginia fails to meet the schedule contained in the decree.

In June 2000, members of the Chesapeake Executive Council signed a new comprehensive Bay Agreement. ***Chesapeake 2000, A Watershed*** **Partnership** is seen as the most aggressive and comprehensive Bay agreement to date. Designed to guide the next decade of Bay watershed restoration**, *Chesapeake 2000*** commits to "achieve and maintain the water quality necessary to support the aquatic living resources of the Bay and its tributaries and to protect human health."

The new Bay agreement set out a process for achieving its water quality commitments that included setting increased nutrient reduction goals and the first Bay wide sediment reduction goals.

A living resources approach

This effort has resulted in nutrient reduction goals that are much more aggressive than those agreed to in the past. Bay Program partners have agreed to base their success on the attainment of water quality standards, not simply pollution load reductions. These standards strive to meet established criteria for the Bay's designated uses. Bay partners chose designated uses based on living resources' habitat needs – shallow water, open water, deep water, deep channel and migratory and spawning areas.

For the first time, partners developed criteria that take into account the varying needs of different plants and animals and the various conditions found throughout the Bay. The criteria are:

- **Water clarity** – which ensures that enough sunlight reaches underwater grasses that grow on the bottom in most shallow areas.
- **Dissolved oxygen** – which ensures that enough oxygen is available at the right time during the right part of the year, to support aquatic life, including fish larvae and adult species.
- **Chlorophyll a** – the pigment contained in algae and other plants that enables photosynthesis. Optimal levels reduce harmful algae blooms and promote algae beneficial to the Bay's food chain.

In addition to being the focus for the reduction goals, or "allocations", for tributary strategies, these criteria will serve as the basis for revising water quality standards for Virginia's tidal waters. This regulatory action is taking place simultaneously to the tributary strategy process, which is now underway.

Using computer models to determine allocations

To determine optimal nutrient and sediment allocations, Bay watershed partners Developed several simulations for analysis by the Chesapeake Bay Watershed and Water Quality models. Each simulation, or scenario, allows Bay scientists to predict changes within the Bay ecosystem due to proposed management actions taking place throughout the Bay's 64,000-square-mile watershed.

Information is entered into the Watershed Model, which details likely results of proposed management actions. These actions include improving wastewater treatment technology, reducing fertilizer and manure application on agricultural lands, implementing sound land use programs and planting streamside forest buffers.

Next, these results are run through the Bay Water Quality Model, a complex mathematical model that provides Bay scientists with a visualization of future Bay and river water quality conditions resulting from each scenario. Throughout the development of the new Bay water quality criteria, more than 70 Water Quality Model runs were conducted.

As described above, the Chesapeake Bay Watershed and Water Quality models are powerful tools that help guide the level of effort and the types of actions needed to restore the health of the Bay and its tributaries. Understanding the strengths and limitations of these models is critical to efficiently and effectively targeting implementation efforts.

Estimating existing and future nitrogen and phosphorus loads is a key application of the watershed model. Incorporating good data and monitoring information, this model is well suited to provide these estimates.

Due, in part, to data limitations, sediment transport is simplified and sediment loads from eroding stream banks are not well captured. These limitations will be addressed in future model versions. Moreover, these limitations need to be considered in determining ongoing implementation priorities. For example, storm water retrofits and stream restoration efforts may be more effective than is currently indicated by the model.

Regardless of certain limitations, the Chesapeake Bay Watershed and Water Quality models provide a good basis for making basin restoration decisions. Moreover, these models compliment and support other tools such as water quality assessment and watershed planning activities.

The resulting nutrient reduction goals, or allocations, call for Bay watershed states to reduce the amount of nitrogen entering the Bay and its tidal tributaries from the current 277 million pounds to no more than 175 million pounds per year, and phosphorus from 19.4 million pounds to no more than 12.8 million pounds per year. When coordinated nutrient reduction efforts began in 1985 it is estimated that 338 million pounds of nitrogen and 27.1 million pounds of phosphorus entered the Bay annually from all sources.

At the agreed upon allocations, the model predicts that we will see a Bay similar to that in the 1950s. Proposed water quality standards will be met in 96 percent of the Bay at all times, and the remaining four percent would fall shy of fully meeting the proposed standards for portions of four months a year in one portion of the bay's mainstem.

The Virginia tributary strategy approach

Bay Program partners determined specific allocations for each major basin. Allocations for basins that cover more than one state were divided by jurisdiction. The new cap allocation for total nitrogen in the Virginia's portion of the Bay basin is 51.4 million pounds per year, compared with an actual load of 77.8 million pounds in 2002. The new cap allocation for phosphorus is six million pounds, compared with an estimated load of 9.84 million pounds in 2002. The new cap allocation for sediment is 1.94 million tons per year, compared with 2.38 million tons in 2002. This sediment allocation does not include loading from shoreline erosion.

While each basin had specific nutrient and sediment load allocations to reach, they are a part of overall Virginia Chesapeake Bay nutrient and sediment reduction goals. As the result of the efforts by state staff and stakeholders in all five basins, Virginia has crafted a series of strategies that surpassed Virginia's nitrogen, phosphorus and sediment goals.

The new nitrogen allocation for the James River strategy is 26.4 million pounds per year, a 29 percent reduction from the estimated load of 37.26 million pounds in 2002. The allocation for phosphorus is 3.41 million pounds compared with an estimated load of 5.95 million pounds in 2002, a 43 percent reduction. The sediment allocation is 930,000 tons per year, compared with an estimated 1.17 million tons in 2002, a 21 percent reduction. This sediment allocation does not include loads from shoreline erosion in the tidal region of the river basin.

However allocations for the James and York rivers present a special case. Of all of Virginia's rivers, the James and York do not significantly affect dissolved oxygen conditions in the mainstem of the Chesapeake Bay. Therefore, as was recognized when the total allocations were established through the Chesapeake Bay program, final James and York allocations will be considered *interim* until final water quality standards are adopted by the Virginia State Water Control Board and approved by the United States Environmental Protection Agency. Because the total Virginia allocations for nitrogen and phosphorus are the sum of the allocations for each of Virginia's five basins, the total allocations may change as well.

To reach these ambitious new reduction goals, the current tributary strategy must build on previous efforts, in particular the 1998 strategy and 2000 goals documents for the James River basin. Many of the stakeholder groups involved in developing the previous strategy were active in working with state natural resource agency staff in crafting this nutrient and sediment reduction plan.

The new strategy looks at the agricultural nonpoint source practices and wastewater treatment plant reductions that were critical to the 2000 plan to see where practices could be increased. This strategy also looks more closely at measures involving land use, urban nutrient management and stormwater management that will need to play key roles in meeting the new basin allocations.

This strategy identifies a number of nonpoint source best management practices and point source treatment levels that can be implemented to meet the James' allocations. However, the strategy also recognizes the need for reduction efforts to grow and expand in order to meet the 2010 goal and to maintain or cap the allocation once it is achieved. In short, implementation plans that improve local water quality throughout the Chesapeake Bay basins will be a continuous process.

In this regard the strategy outlines processes that need to be developed in order to facilitate implementation between now, 2010, and beyond. There will be annual progress updates and a more thorough, Bay-wide evaluation of advancement towards the 2010 goals when an updated version of the Watershed Model becomes available, which is expected in 2006.

Implementation planning as outlined in this strategy will be continually refined, addressing both point and nonpoint sources. It must identify roles and responsibilities for federal, state and local governments, the private sector, nonprofits and the average citizen. The strategy addresses the need to establish timeframes and make cost estimates and identify potential funding sources.

Tributary strategy implementation will be an ongoing process bringing greater consideration of water quality issues to many sectors in each community. Recognizing how land use and lifestyle impact water quality, and finding alternatives to reduce those impacts, are objectives of the tributary strategies. Marketing social change of this magnitude is a challenge that Virginia will move forward steadily using a variety of approaches. Reaching millions of individuals with these messages will take time and money, and will require enduring popular support among citizens and elected leaders across the watershed.

Ongoing tributary strategy implementation cannot be seen as a process that is separate from other ongoing water quality initiatives. In fact, tributary strategies should be seen as a way to connect and incorporate local water quality initiatives.

For example, many counties, some aided by local conservation nonprofit organizations, are developing local watershed management plans in their communities. These plans look at sub-watersheds of the tributary as a whole when planning new development or assessing other impacts on land and water resources. Planning at this scale reveals where individual best management practices (BMPs) are needed within each community in the basin. Examples of such BMPs include riparian buffers, rain gardens and stream fencing. Locations for the many nonpoint sources BMPs in the tributary strategy can be determined using this technique. These local watershed plans can play key roles as a part of the implementation for a basin wide tributary strategy.

Likewise, mandated plans to restore stream segments on the federal impaired waters list, known as TMDLs (Total Maximum Daily Loads) can also be part of a larger tributary strategy. These TMDLs focus on stream segments that violate water quality standards for specific impairments such as bacteria, pH or dissolved oxygen. They do not specifically address nutrient or sediment impairments, however, implementation plans for upstream TMDLs will also reduce nutrient and sediment loads. Those measures included in TMDL implementation may be incorporated into the larger tributary strategy for that river basin.

Virginia partnerships

Meeting the ***Chesapeake 2000*** commitments requires an unprecedented level of communication, consultation and coordination among federal, state and local governments as well as community and watershed organizations. These interactions relative to the 2000 Agreement are well established between state and federal agencies.

Effective and sustainable connections with local governments and other organizations within a regional perspective are, however, still emerging. In addition to the state and federal partnerships, many effective state agency relationships exist with individual local governments relative to specific agency programs. Further, the Virginia Association of Counties and the Virginia Municipal League provide contacts among localities statewide. All of these relationships, while effective for their initial purpose, do not address the need for more extensive and effective watershed level communication and coordination.

Throughout Virginia's Bay basin, planning district commissions, watershed conservation roundtables and soil and water conservation districts are in place to support local initiatives that help to meet Bay agreement commitments. These regional entities, depending on location and level of involvement, perform various communication and coordination activities, some collectively and others individually.

Bay-wide coordination

Virginia Secretary of Natural Resources – The Office of the Secretary of Natural Resources oversees state agencies within its purview to ensure resources and programs are well coordinated. This is done through direct interaction of agency heads across the full spectrum of natural resource issues.

Virginia Watershed Planning and Permitting Task Force – The task force consists of directors, or their designees, from the Virginia departments of Environmental Quality (DEQ), Conservation and Recreation (DCR), Forestry (DOF), Mines, Minerals and Energy (DMME) and the commissioner, or his designee, of the Virginia Department of Agriculture and Consumer Services (DACS). "The task force shall undertake such measures and activities it deems necessary and appropriate to see that the functions of the agencies represented therein, and to the extent practicable of other agencies of the Commonwealth, and the efforts of state and local agencies and authorities in watershed planning and watershed permitting are coordinated and promoted." (§ 10.1-1194)

Nonpoint Source Advisory Committee (NPSAC) – This committee was formed in the 1980s to bring about a coordinated statewide approach to nonpoint source pollution control programs. It is chaired by DCR, Virginia's lead nonpoint source agency. A variety of state and federal agencies serve on the committee, all of which have significant nonpoint source water quality responsibilities.

Members include staff from DEQ, Virginia Marine Resource Commission (VMRC), Virginia Department of Game and Inland Fisheries (DGIF), DOF, DACS, Virginia Department of Transportation (VDOT), Virginia Cooperative Extension Service (VCES), U.S.D.A. Natural Resources Conservation Service and the U.S. Geological Survey. The committee guides implementation of the Virginia's Nonpoint Source Management Program, a strategy required under the Clean Water Act to ensure that states give a high priority to the water quality problems resulting from runoff and other diffuse sources.

Because of NPSAC's meetings and grant review activities, state and federal agency members pursue partnerships with other groups and organizations working to prevent nonpoint source pollution.

Virginia Chesapeake Bay Interagency Workgroup – This workgroup consists of technical and managerial staff from the critical state agencies that help implement the ***Chesapeake 2000*** agreement. It is further supported by intra-agency workgroups established by the agencies as needed.

Virginia Association of Counties (VACo) and Virginia Municipal League (VML) – VACo and VML are associations of Virginia cities, towns and counties that foster a wide range of communication and coordination among the localities. Both engage in local government representation, advocacy and education. The Chesapeake Bay Program is an area of common interest to these groups, hence they are engaged in the process described above.

Regional coordination

Planning District Commissions (PDCs) – These are legally constituted under the Regional Cooperation Act as political subdivisions and formally established by the local governments in defined areas. Twenty-one PDCs have been established and have been in operation for 30 years or more. Approximately 14 PDCs are wholly within the Chesapeake Bay watershed. These regional entities are formed and operate within political boundaries. PDCs function to inform and receive collective input from local governments and transfer information. Specifically, PDCs' statutory duties are to:

- Conduct studies on issues and problems of regional significance.
- Identify and study potential opportunities for state and local cost saving…through coordinated government efforts.
- Identify mechanisms for the coordination of state and local interests.
- Serve as liaison between localities and state agencies.
- Conduct strategic planning for its region.
- Develop regional functional area plans.
- Help state agencies, on request, write local and regional plans.

All of these duties support and are consistent with finding ways to realistically address the major dependence of the ***Chesapeake 2000*** agreement on local governments for successful, long-term implementation of the agreement.

Watershed Conservation Roundtables – Established under the Water Quality Improvement Act (WQIA), Nonpoint Source Cooperative Programs have been underway since early 1999. These voluntary groups, or roundtables, consist of stakeholders, local governments, community and watershed organizations and other community interests that discuss and address watershed stewardship issues. The primary role of roundtables at this point is to provide advice to state agencies and to increase coordination among active stakeholders on watershed based initiatives. Roundtables have played a major role in educating the public on tributary strategy issues that include nitrogen, phosphorus and sediment pollution. Although authorized under the WQIA, roundtables are not legally constituted and consequently are not afforded distinct functions beyond an advisory role.

Local Government Activities Supporting Implementation of the Agreement – Local governments play a key role in implementing ***Chesapeake 2000***, as they do for most other significant environmental enhancement efforts. Legislators and other interests generally are aware of the range of activities carried out by local governments. The following is a list of routine activities that contribute directly to implementation of the Bay agreement.

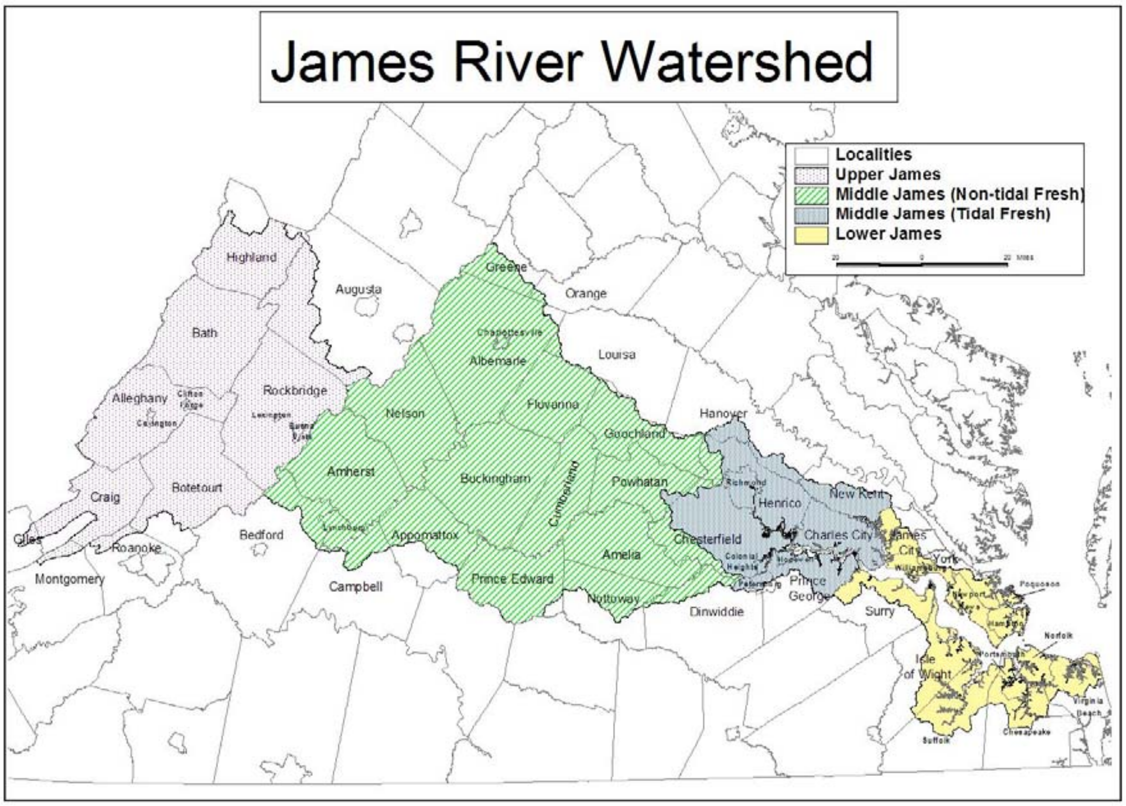
- Meeting applicable provisions of the Chesapeake Bay Preservation Act (for those localities that fall under Bay Act jurisdiction)
- Meeting provisions of the state Erosion and Sediment Control Act
- Meeting DEQ permit requirements, such as complying with sewage treatment plant effluent limitations and other regulated discharges
- Complying with Safe Drinking Water Act provisions
- Meeting provisions of the Virginia wetlands programs
- Carrying out floodplain management
- Adopting and implementing stormwater management measures
- Conducting activities through the local Soil and Water Conservation Districts

Virginia Soil and Water Conservation Districts – Established by the Code of Virginia, districts have operated in the Commonwealth for more than 70 years. Today, there are 47 districts covering most all of Virginia's counties and cities. They are constituted as political subdivisions of state government and are governed by locally elected and appointed boards of directors. Districts employ professional, technical expertise to deliver integrated and comprehensive programs and services that conserve soil resources, improve water quality, enhance watershed protection, and prevent soil erosion, stormwater runoff and flooding. Some of the specific responsibilities, duties and programs include:

- Deliver the Virginia DCR Agricultural BMP Cost Share and Tax Credit Program;
- Deliver urban BMP technical services, projects and programs;
- Implement, assist and deliver local erosion and sediment control ordinances;
- Plan, assist and approve conservation plans required by the federal Farm Bill;
- Deliver conservation planning and services related to local Bay Act requirements;
- Assist the Virginia Department of Agriculture and Consumer Services with the Virginia Agricultural Stewardship Act;
- Administer the state funding and delivery of the Conservation Reserve Enhancement Program;
- Provide the local leadership for planning and implementing programs related to impaired water designations through the DEQ and DCR TMDL requirements;
- Provide technical expertise for conservation practices voluntarily implemented by farmers and agriculture operators;
- Educate citizens and government officials on wide-ranging natural resource conservation issues.

II. The James River Watershed

The James River is the nation's longest river contained entirely in one state. At 10,236 square miles, the James River watershed is the largest in Virginia. It makes up nearly a quarter of the state and includes 57 counties. The 2000 James River watershed population was 2,604,246 people, most living in the eastern region. While this tributary strategy looks at the James River watershed as a whole, due to the size and the diversity of land uses, three teams were developed to look at the Upper, Middle and Lower portions of the James.



James River Watershed Fast Facts
• Drainage Area: 6,551,345 acres, 10,236.4 square miles, 24 percent of Virginia's land area.
• Length: 350 miles
• Counties: 57
• Cities: Buchanan, Buena Vista, Clifton Forge, Charlottesville, Chesapeake, Colonial Heights, Covington, Hampton, Hopewell, Lexington, Lynchburg, Newport News, Norfolk, Petersburg, Portsmouth, Richmond, Suffolk, Virginia Beach, Williamsburg
• 2000 Population: 2,604,246: Upper James = 91,607, Middle James = 1,221,792, Lower James = 1,290,847
• Headwaters: Jackson & Cowpasture Rivers
• Larger Tributaries: Appomattox River, Chickahominy River, Hardware River, Jackson River, Maury River, Rivanna River
• Percent Land Use: 5 percent urban, 7 percent agriculture, 71 percent forest, 4 percent open water, 3 percent wetland.

Upper James River

The headwaters of the Upper James River originate in Bath and Highland Counties within the Alleghany Mountains. The 3,065 square mile watershed encompasses Craig, Botetourt, Alleghany, Bath, Highland, Rockbridge, and portions of Montgomery, Roanoke, and Augusta counties. Nearly 84 percent of the land is forested, 15 percent in agriculture (primarily pastureland), and less than one percent is considered developed. The 2000 Census estimated the population at 85,669 within the Upper James sub-watershed; this number is expected to increase 2.4 percent between 2000 and 2020 (see Appendix H for more population data). Most of the region is rural with low population densities, though urban hubs can be found in the cities of Clifton Forge, Buena Vista, Covington, and Lexington.

Recreational opportunities are plentiful within the Upper James sub-watershed. Large areas of land designated within the George Washington and Thomas Jefferson National Forests provide for numerous hiking, camping, wildlife observation and hunting opportunities. Portions of the Upper James are designated as Scenic River by the General Assembly, and fishing and canoeing are prized pastimes.

Reports from the 1998 *Virginia Initial James River Basin Tributary Nutrient and Sediment Reduction Strategy* indicate that sediment is the most significant water pollutant to the Upper James. Proportionally speaking, the Upper James generates roughly 30 percent of the basin-wide controllable sediment load.

Topography plays a significant role in sediment contribution as land slopes are at their steepest in the upper portions of the basin. Steeper slopes can lead to higher erosion rates. Additionally, the dense network of tributaries within the upper reaches of the James far exceeds those found in lower segments. Coupling higher slope related erosion potential with a denser stream network lends itself to the increased potential for sedimentation of the waters that feed the Upper James. Conversely, this sub-watershed contributes low percentages of nitrogen and phosphorus to the overall basin. The 1998 report cites controllable nitrogen load levels contributed to the James from this upper segment at four percent and approximately 19 percent for phosphorus. Agriculture is listed as the primary source for both nitrogen and phosphorus.

Nonpoint sources of nutrient and sediment loading include agriculture, forest, and urban land uses in the Upper James. According to DCR's 1996 Nonpoint Source Pollution Watershed Assessment Report, watersheds around the cities within the Upper James are considered as high priority for urban nonpoint source pollution. It also lists five watersheds as having high potential for agricultural pollution, and fifteen watersheds as high priority for forest harvest activity. Point source contributors within the region include five municipal wastewater treatment plants and three industrial facilities.

Middle James River

The Middle James region of the watershed extends west to Amherst County, north to Greene County, south to Prince Edward County, and east to Charles City County. At approximately 6,190 square miles, the Middle James is a large and diverse watershed. Although much of the watershed is rural with a low population density, the region includes the more populous cities of Charlottesville, Colonial Heights, Hopewell, Lynchburg, Petersburg and Richmond.

The Middle James River watershed abounds with scenic, natural, open space, and historic resources; a legacy that Virginians have worked together to protect as exhibited by Scenic River and Virginia Byway designations. In addition to these designations, more than 89,000 acres in the region are under open space easement held primarily by the Virginia Outdoors Foundation.

The quality of life enjoyed by the citizens of the Middle James watershed is enhanced by its wealth of natural and open space resources. A number of rivers add to the scenic and environmental qualities of the area including the James, Appomattox, Chickahominy, Hardware, Rivanna, Rockfish and Willis. Because the Middle James River watershed covers the Blue Ridge, Piedmont, and Coastal Plain physiographic provinces, the region offers a variety of natural terrain and habitats, as well as recreational opportunities including hiking, canoeing, bird watching, and fishing. By protecting water quality, habitat, and other natural resources, we can ensure these and many other activities will be enjoyed by future generations.

Land use in the Middle James watershed is predominantly forest, making up approximately 71 percent of the sub-watershed. Agriculture comprises the second largest land use in the Middle James with 18 percent; developed lands are third with four percent; wetlands, three percent, and, water and barren lands both equate to two percent of the sub-watershed. Although residential, agricultural, and logging land uses are major sources of nonpoint source sediment and nutrient loadings, it is important to mention that the Middle James harbors industrial and municipal wastewater treatment facility point sources as well.

The 2000 Middle James River watershed population included 1,515,843 residents. This is an increase of 15.5 percent from the 1990 Census. Predictions made by the Virginia Employment Commission indicate that the Middle James watershed population will grow another 11.8 percent by 2010 to approximately 1,694,302 inhabitants. Providing for an additional 202,600 residents moving into the watershed will result in further land cover and land use conversion, as well as increase the potential for point and nonpoint source pollution Additional population information is found in Appendix H.

Lower James River

The Lower James River encompasses the land area that drains to the James River from the counties of York, James City County, Surry and Isle of Wight and the Cities of

Hampton, Newport News, Williamsburg, Norfolk, Portsmouth, Suffolk, Chesapeake and Virginia Beach. In addition, two western coastal subbasins that drain directly to the Bay are included in the Lower James River area, one to the North of Hampton (Poquoson and Back River) and one in Northern Norfolk/Virginia Beach (Lynnhaven and Little Creek). These coastal subbasins have been included within the Lower James Region because they are tributaries to the Chesapeake Bay and they lie within the boundaries of the local governments participating in the James strategy. It is assumed that nutrient and sediment reductions goals to be achieved in these areas would be the same as those selected for the Lower James Region, and the control programs implemented to achieve nutrient and sediment reductions goals would be consistent throughout a jurisdiction.

The Lower James River watershed is approximately 1,770 square miles. This area is known for its large military installations and outstanding port facilities, and is an important center of manufacturing and tourism. The area is substantially urbanized. As a result, the key water quality issues focus on stormwater runoff control, wastewater treatment plant discharges, and to a lesser extent on agricultural runoff. The land use for this region is thirty-one percent forested, forty-eight percent urban and suburban, six percent mixed open, twelve percent agricultural, and three percent open water. (Mixed open areas include parks, athletic fields, golf courses and similar land not otherwise classified as urban.)

Major pollutants and water quality

The three major pollutants targeted in the tributary strategy process are nitrogen, phosphorus and sediment. Approximately 59 percent of the nitrogen and 70 percent of the phosphorus loads to the James River originate from nonpoint sources. Most nonpoint source pollutants come in stormwater runoff from agricultural lands, residential lands and other urban areas. The other 41 percent of the nitrogen and 30 percent of the phosphorus loads come from point source discharges (municipal sewage and industrial wastewater plants). Soil erosion is considered 100 percent nonpoint source related and are typically the result of construction sites and stream bank erosion.

Water quality impacts from excessive inputs of nutrients and sediment in the James River include excessive algae levels in some regions of the river during spring and summer, and diminished acreage and health of underwater grasses throughout the tidal portion of the river.

The following sections present only a very general overview of selected water quality conditions in the tidal portions of Virginia's Chesapeake Bay and its major tributaries, with a focus on the James River. It is difficult to adequately summarize the James basin's water quality in such a short document. Much more comprehensive and detailed analyses are available for each major Bay basin, and the reader is encouraged to supplement this brief status and trends information with several reports available through the DEQ Chesapeake Bay Program Internet webpage http://www.deq.virginia.gov/bay/wqifdown.html and the DEQ Water Programs' Reports webpage http://www.deq.virginia.gov/water/reports.html.

Water quality conditions are presented through a combination of the current status and long-term trends for nitrogen, phosphorus, chlorophyll, dissolved oxygen, water clarity, and suspended solids. These are the indicators most directly affected by nutrient and sediment reduction strategies. Environmental information regarding other important conditions in Chesapeake Bay (e.g., underwater grasses, fisheries, chemical contaminants) are available in the 2004 biennial report, "Results of Monitoring Programs And Status of Resources", available via the webpage for the Secretary of Natural Resources http://www.naturalresources.virginia.gov/.

The Virginia Chesapeake Bay and its tidal tributaries continue to show environmental trends indicating progress toward restoration to a more balanced and healthy ecosystem. However, the Bay system remains stressed and some areas and indicators show continuing degradation. Progress in reducing nutrient inputs has made measurable improvements and it is expected that continued progress toward nutrient reduction goals, along with appropriate fisheries management and chemical contaminant controls, will result in additional Bay improvements. Findings from the last 18 years (1985 through 2002) of the monitoring programs are discussed in the sections below.

Nutrients influence the growth of phytoplankton in the water column. Elevated concentrations of these nutrients often result in excessive phytoplankton production (i.e., chlorophyll). Decomposition of the resulting excess organic material during the summer can result in low levels of dissolved oxygen (DO) in bottom waters. Low DO levels can cause fish kills and drastic declines in benthic communities, which are the food base for many fish populations. Low-DO waters also adversely affect fish and crab population levels by limiting the physical area available where these organisms can live.

FIGURE 2-1. *Phosphorus*: Figure 2-1 presents current status and long-term trends in phosphorus concentrations. Areas of the **Elizabeth**, and lower **James** River have the poorest conditions in relation to the rest of the Chesapeake Bay system. The status of other tidal segments of the **James River** is considered good, but the **Appomattox** is rated fair. Improving trends are seen in sections of the **Elizabeth**, and in the main Bay outside the mouth of the **James**.

The "watershed input" stations shown in Figure 2-1 provide information about the impacts of nutrient control efforts in the upper watershed (above the fall line). Results at these watershed input monitoring stations are flow-adjusted in order to remove the influence of river flow and assess only the effect of nutrient management actions (e.g., point source discharge treatment improvements and BMPs to reduce nonpoint source runoff). The watershed input station for the **James** shows improving concentration trends. (*Figure 2-2, Total Nitrogen Status and Trends. Source: Department of Environmental Quality.)*

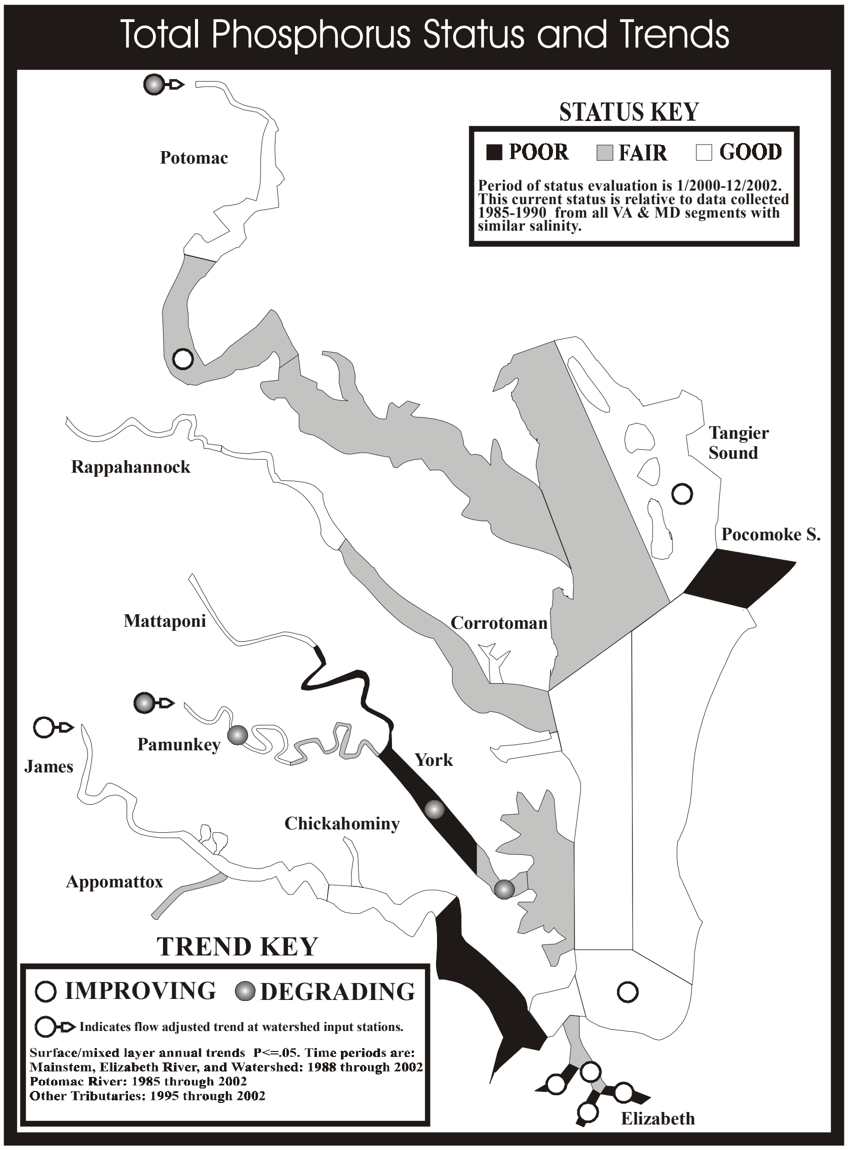


FIGURE 2-2. *<u>Nitrogen</u>*: Figure 2-2 presents status and long-term trends in nitrogen concentrations. <u>Status</u> of nitrogen in the **South** and **East Branches** of the **Elizabeth** River is worse than status in the other major tributaries and the **Virginia Chesapeake Bay**. Much of the James River has good relative status, with the exception of the **Appomattox** River, **Hampton Roads** area, and remainder of the **Elizabeth**, which have fair status.

Much of the tidal **James** River has improving nitrogen <u>trends</u> as a result of declining loads at the river input station as well as reduced discharges from several of the point sources in the Richmond-Hopewell areas. One exception is seen in the Appomattox, where a declining trend is evident. The trends in nitrogen levels are also improving in the **Elizabeth** River. (*Figure 2-2, Total Nitrogen Status and Trends. Source: Department of Environmental Quality.)*

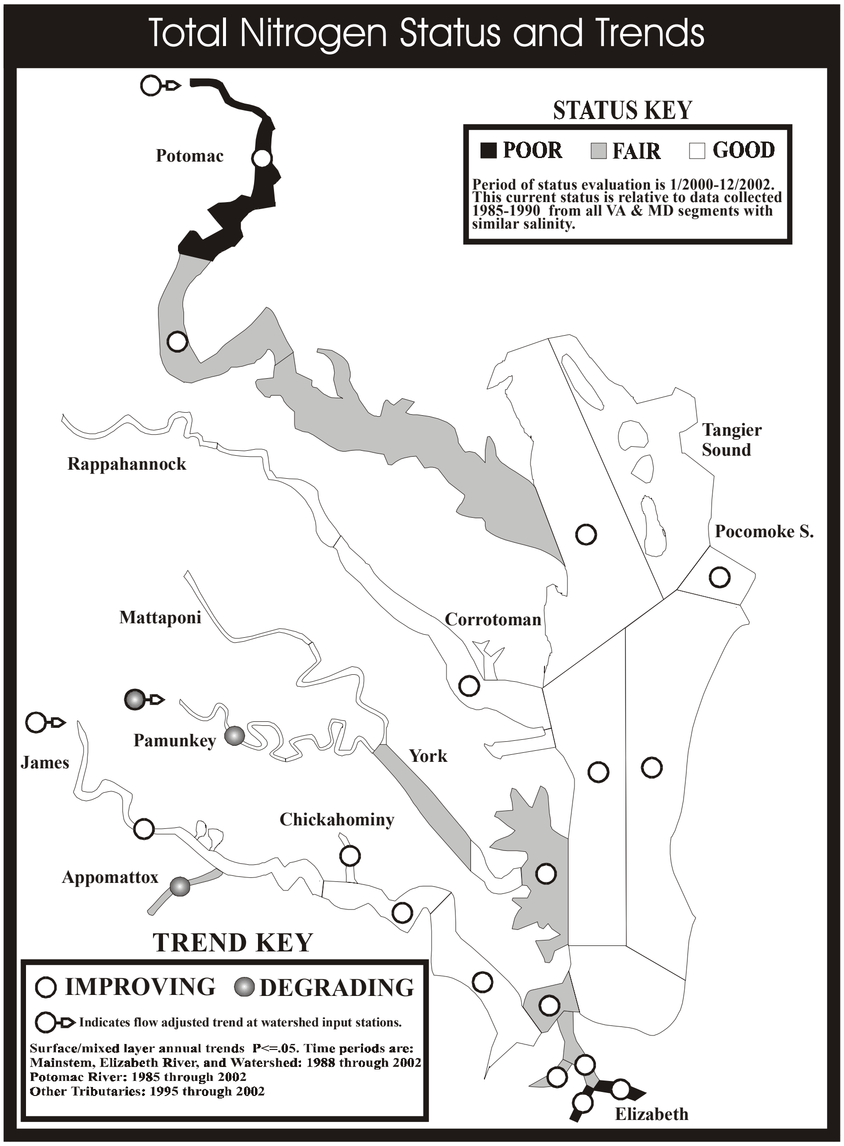


FIGURE 2-3. *Chlorophyll*: Chlorophyll is a measure of algal biomass (i.e., phytoplankton) in the water. High chlorophyll levels indicate poor water quality (low D.O. conditions): the decomposition of dead phytoplankton and other organic material that settles to the bottom depletes the available oxygen. High algal levels can also reduce water clarity, which decreases available light required to support photosynthesis in underwater grasses. High algal levels also indicate problems with the food web such as decreased food quality for some filter-feeding fish and shellfish. Finally, high chlorophyll levels may indicate large-scale blooms of toxic or nuisance forms of algae.

Figure 2-3 presents the current status and long term trends in chlorophyll concentrations. Parts of all of the major Virginia tributaries have poor status in relation to Bay-wide conditions, including the **Tidal Fresh James** from the fall line to below Hopewell, the **Appomattox**, **Chickahominy**, and portions of the **Elizabeth** River. A degrading trend in chlorophyll levels was detected in the upper tidal fresh portions of the **James**, and **Appomattox** Rivers. An improving trend was observed in the **West Branch** of the **Elizabeth** River. *Figure 2-3, Chlorophyll Status and Trends. Source: Department of Environmental Quality.*

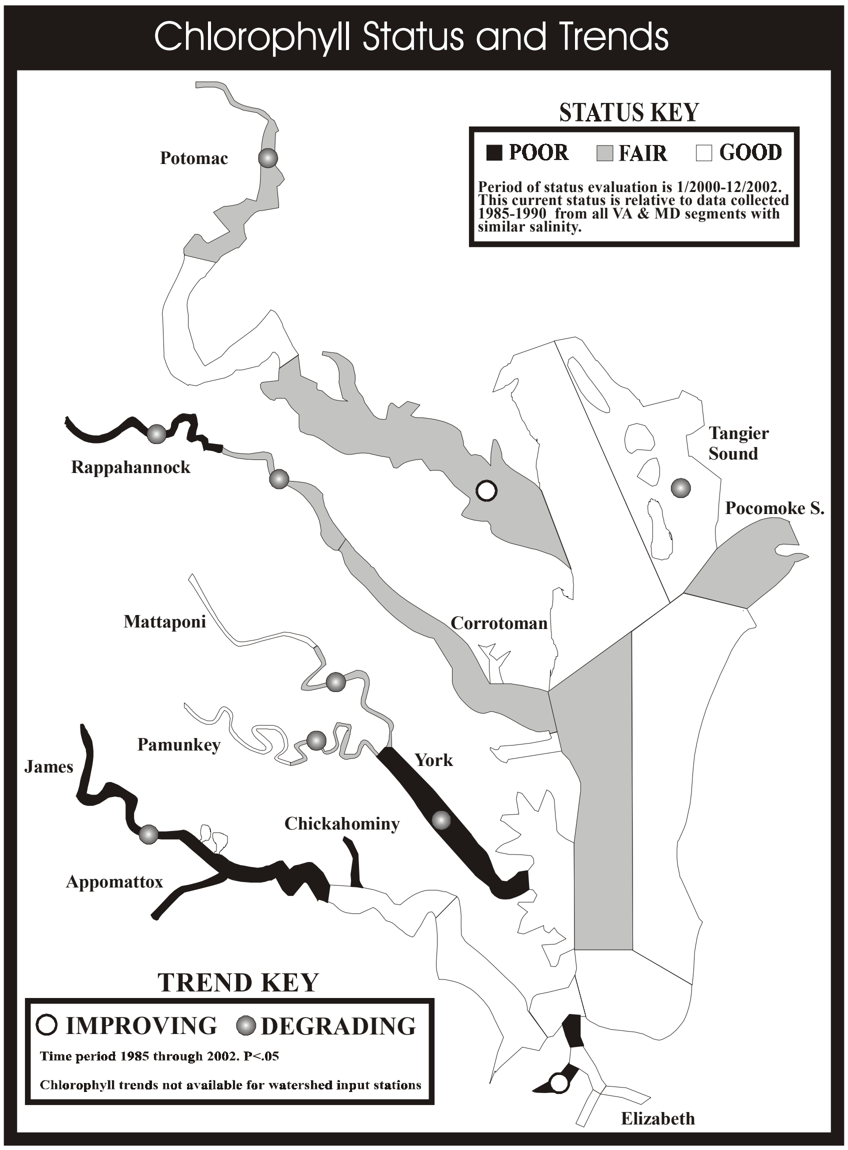


FIGURE 2-4. *Dissolved Oxygen:* Dissolved oxygen levels are an important factor affecting the survival, distribution, and productivity of aquatic living resources. Figure 2-4 shows the current status and long term trends in DO concentrations. Status is given in relation to dissolved oxygen levels supportive or stressful to living resources. About half of the Virginia **Chesapeake Bay** and smaller portions of the tidal tributaries had only fair status, including the **South** and **East Branches** of the **Elizabeth** River. The remainder of the tidal **James** had good status for dissolved oxygen. The **James** does not typically experience depressed D.O. conditions due to its closeness to the ocean and good mixing through the water column. Trends for dissolved oxygen are improving throughout the tidal **James** River. *Figure 2-4, Dissolved Oxygen Status and Trends. Source: Department of Environmental Quality.*

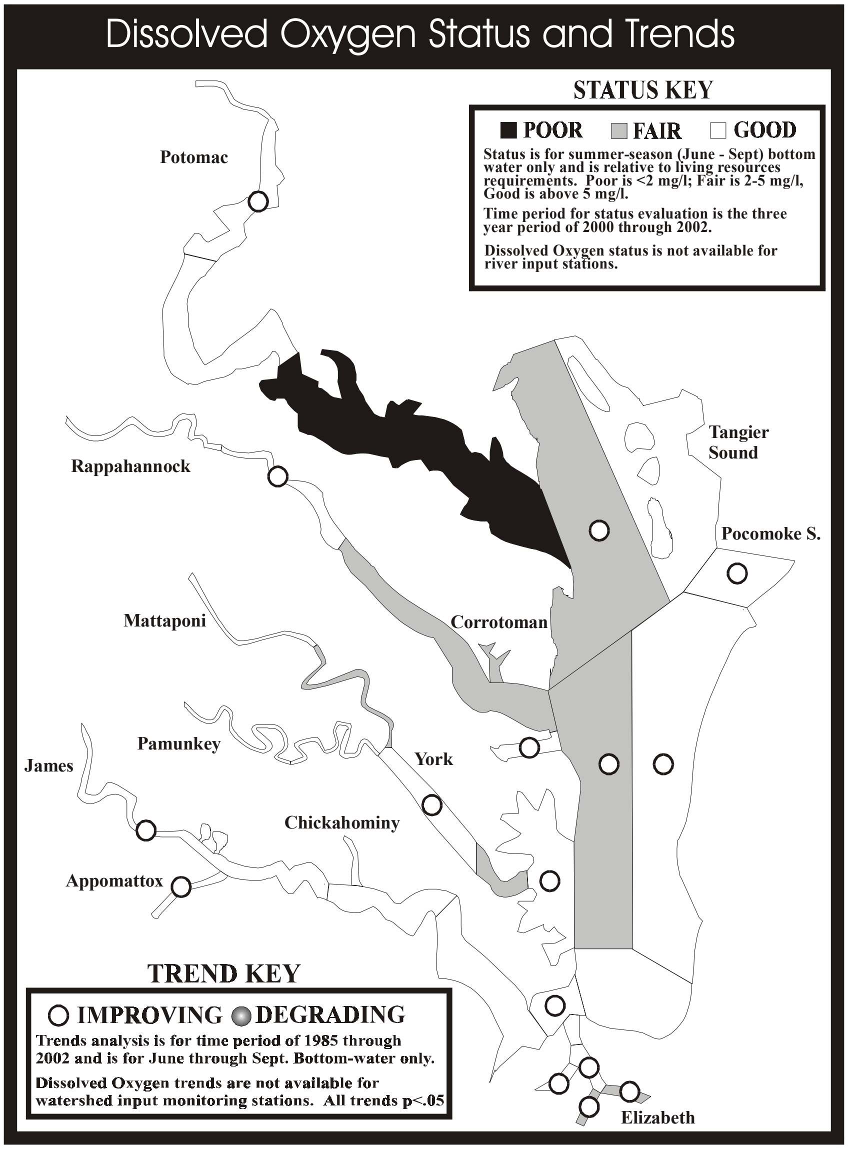


FIGURE 2-5. *Water Clarity:* Water clarity is a measure of the depth to which sunlight penetrates through the water column. Poor water clarity can indicate that inadequate conditions for the growth and survival of underwater grasses. Poor water clarity can also affect the health and distributions of fish populations by reducing their ability to capture prey or avoid predators. The major factors that affect water clarity are: 1) concentrations of particulate inorganic mineral particles (i.e., sand, silt and clays), 2) concentrations of algae, 3) concentrations of particulate organic detritus (small particles of dead algae and/or decaying marsh grasses), and 4) dissolved substances which "color" the water (e.g., brown humic acids generated by plant decay). Which of these factors most greatly influence water clarity varies both seasonally and spatially.

Figure 2-5 presents the current status and long term trends in water clarity. Status of many segments within the tributaries and the Chesapeake Bay mainstem is only fair or poor, and this is evident in the **James** basin, with fair status in the **Lower James, Hampton Roads** area, and parts of the **Elizabeth** Rivers. Poor status is evident in the **Tidal Fresh James** from the fall line to below Hopewell, the **Appomattox**, and portions of the **Elizabeth** River. This suggests that poor water clarity is one of the major environmental factors inhibiting the resurgence of underwater grasses in the tidal portion of the James River. Degrading trends in water clarity were detected in the **Tidal Fresh James**, **Chickahominy**, and **Hampton Roads** area. These degrading trends represent a substantial impediment to the recovery of grass beds within Chesapeake Bay. An improving trend in water clarity was evident in the **Middle and Lower James**, and **Elizabeth** River. Possible causes of the degrading trends include increased shoreline erosion as a result of waterside development, loss of wetlands, increased abundance of phytoplankton, or a combination of sea level rise and land subsistence. (*Figure 2-2, Total Nitrogen Status and Trends. Source: Department of Environmental Quality.)*

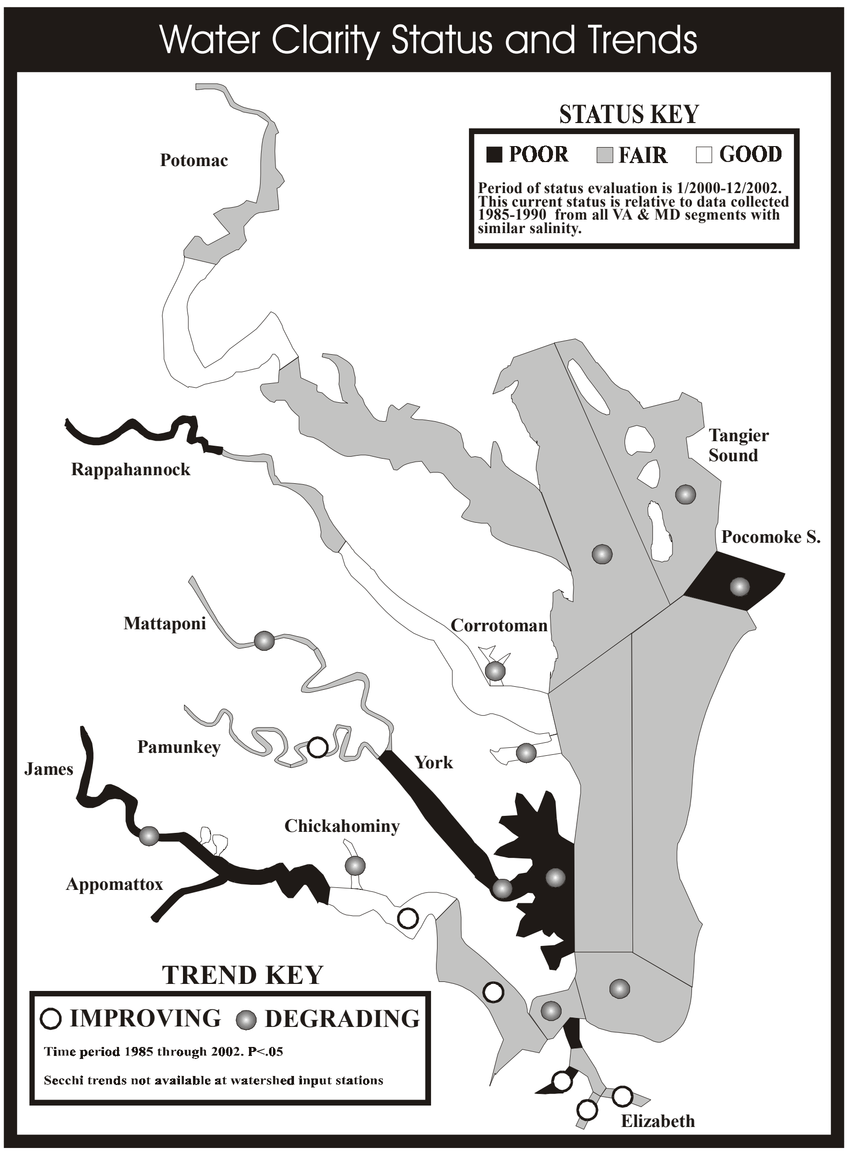
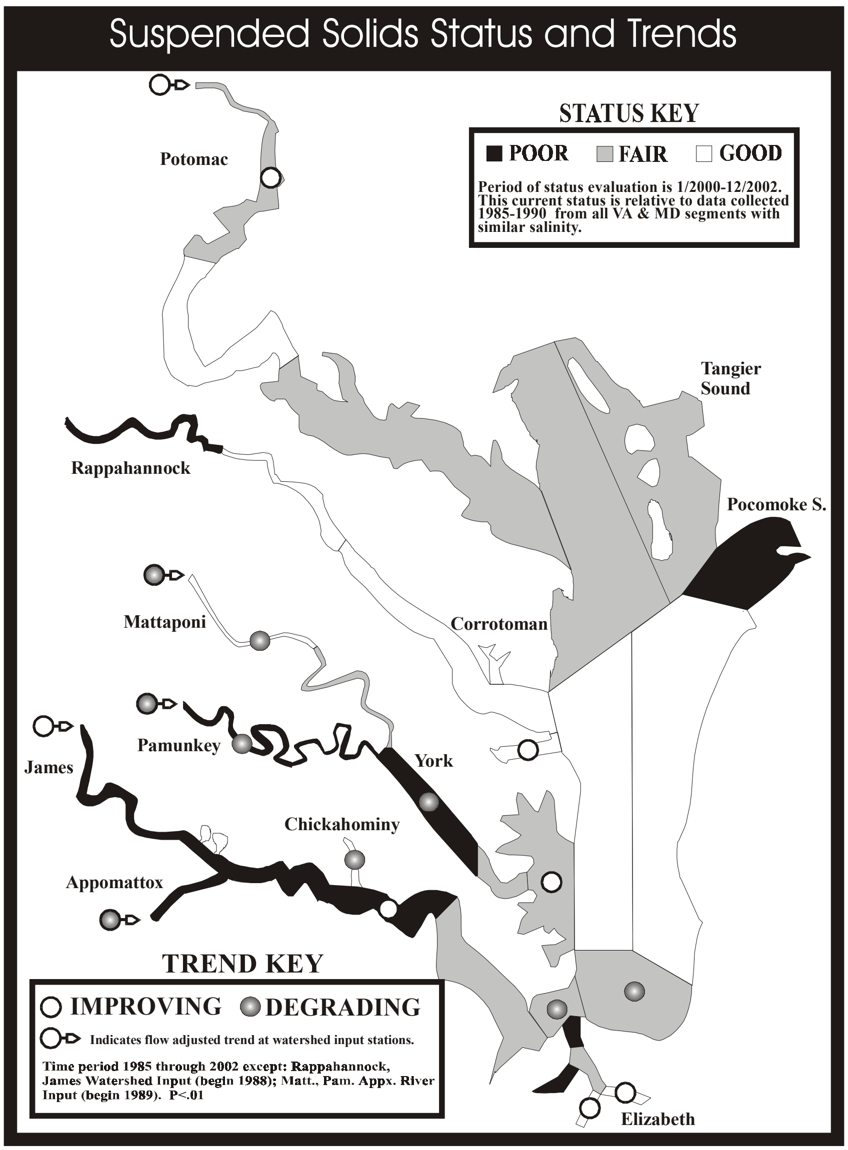


FIGURE 2-6. *Suspended Solids:* Suspended solids are a measure of particulates in the water column including inorganic mineral particles, planktonic organisms and detritus that directly control water clarity. Elevated suspended solids can also be detrimental to the survival of oysters and other aquatic animals. Young oysters can be smothered by deposition of material and filter-feeding fish such as menhaden can be negatively affected by high concentrations of suspended solids. In addition, since suspended solids are comprised of organic and mineral particles that may contain nitrogen and phosphorus, increases in suspended solids can result in an increase of nutrient concentrations.

Figure 2-6 presents the current status and long term trends in suspended solids concentrations. The entire length of the tidal **James** is rated either fair or poor status for suspended solids, with the exception of good status in the **South** and **East Branches** of the **Elizabeth** River. Poor status is seen in the mainstem **James** River from the fall line to below Jamestown, the **Appomattox**, and parts of the **Elizabeth** River, and fair status is observed in the **Lower James**, **Hampton Roads** area, and remainder of the **Elizabeth** River.

An improving trend in the flow-adjusted concentration at the **James River** watershed input station suggests that management actions to reduce sediment loads may be working. Improving trends were also seen in the **Middle James,** and **South** and **East Branches** of the **Elizabeth**. However, several degrading trends in suspended solids concentrations were detected, including the **Appomattox** watershed input station, **Chickahominy, Hampton Roads** area, and the main Bay just outside the mouth of the **James**. (*Figure 2-2, Total Nitrogen Status and Trends. Source: Department of Environmental Quality.)*



Underwater grasses (Submerged Aquatic Vegetation or SAV)

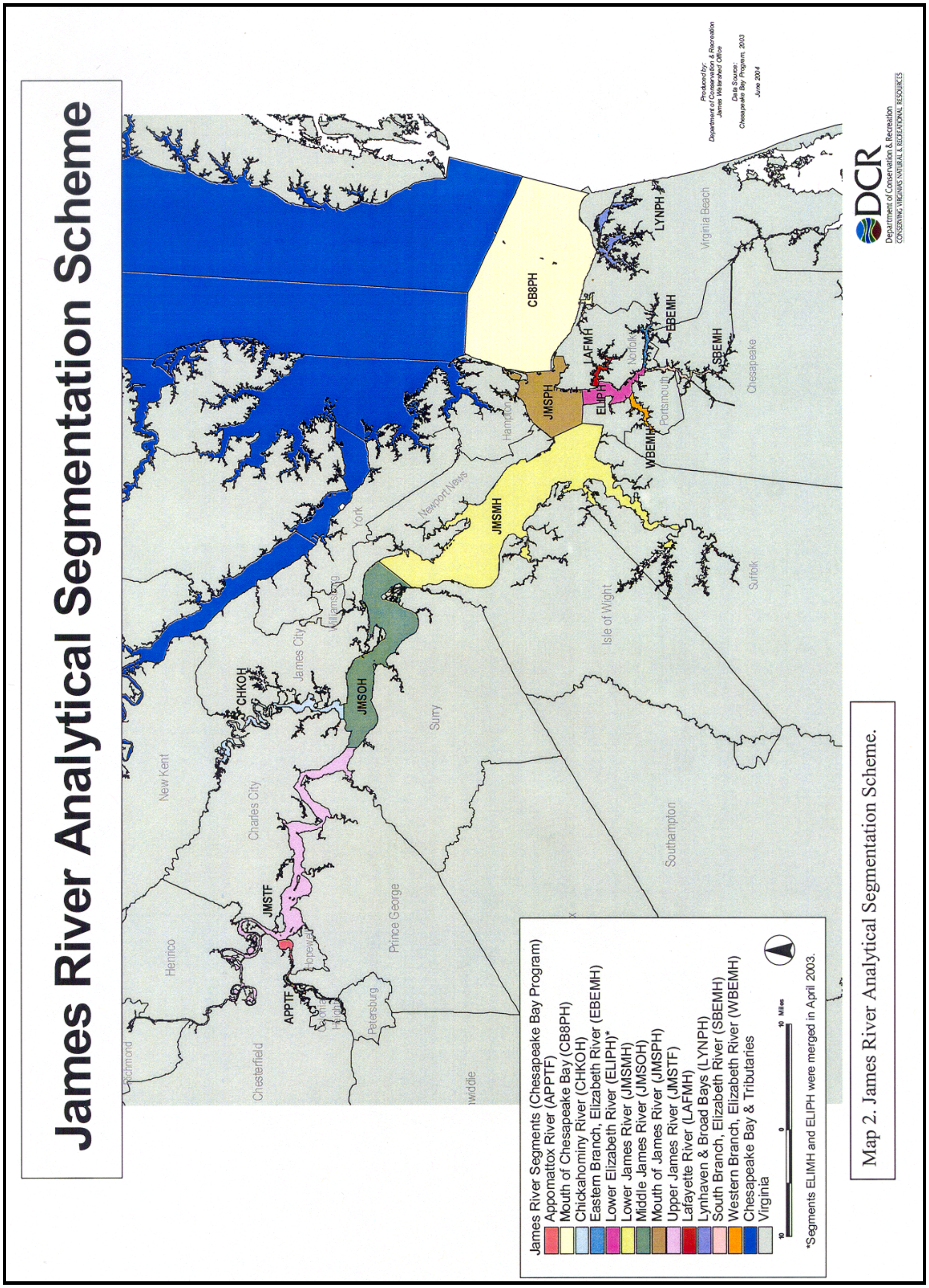
The long-term resurgence of underwater grasses is critical to the overall restoration of the Chesapeake Bay. As a result, Chesapeake Bay Program partners have placed a great deal of emphasis on developing the best science available to assist the return of underwater grasses to historic levels. To determine the progress of underwater grass restoration, the Virginia Institute of Marine Sciences (VIMS) conducts an annual survey of underwater grasses. This survey is derived from the analysis of more than 2,000 black and white aerial photographs taken between May and October. Other research within the watershed includes an ongoing study on wild celery, an underwater grass species, in the tidal fresh portion of the James River. This study is a partnership between the Hopewell Regional Wastewater Treatment Facility, VIMS, and the Chesapeake Bay Foundation. The purpose of the study is to determine why historic underwater grass beds have not repopulated in the James River near Hopewell since the 1940s and to reestablish underwater grasses to the area.

Table 2-1: Virginia Institute of Marine Science Underwater Grasses Survey Results (in acres). *For more information, visit http://www.vims.edu/bio/sav.*

Segment	1985	1996	1997	1998	1999	2000	2001	2002	2003	2010 Goal
Mouth of the James River (JMSPH)	0	46	187	130	77	94	232	281	132	604
Lower James River (JMSMH)	0	0	3	2	3	2	2	1.5	1.6	531
Lower Elizabeth River (ELIPH)	-	-	-	-	-	-	-	-	-	0
Middle Elizabeth River (ELIMH)	-	-	-	-	-	-	-	-	-	0
Western Branch, Elizabeth River (WBEMH)	-	-	-	-	-	-	-	-	-	0
South Branch, Elizabeth River (SBEMH)	-	-	-	-	-	-	-	-	-	0
Eastern Branch, Elizabeth River (EBEMH)	-	-	-	-	-	-	-	-	-	0
Lafayette River (LAFMH)	-	-	-	-	-	-	-	-	-	0
Chickahominy River (CHKOH)	nd	nd	nd	507	91*	535	268	186	425	348
Middle James River (JMSOH)	nd	nd	nd	15	nd	10	15	12	9	7
Upper James River (JMSTF)	nd	nd	nd	89	nd	66	95	84	75	1600
Appomattox River (APPTF)	-	-	-	-	-	-	-	-	-	319
Mouth of the Chesapeake Bay (CB8PH)	0	11	11	10	7	7	8	10	5	6
Lynnhaven & Broad Bays (LYNPH)	93	75	39	41	94	48	43	38	0	69
James River Restoration Totals	**93**	**132**	**237**	**794**	**272**	**762**	**663**	**613**	**648**	**3,484**

The 2010 Bay-wide goal for underwater grasses restoration is 185,000 acres. The James River watershed is responsible for 3,483 acres, or approximately 1.9 percent of the total acreage. Based on survey results from the VIMS research project, an additional 2,835 acres of underwater grasses are necessary to meet this restoration goal, based on the 2003 figures (Table 2-1). Although these data are not conclusive, water clarity is a key component to the success of underwater grasses restoration. Because sediment loads within the James are the primary clarity-limiting factor, achieving the goal will require extensive coordination and support from stakeholders including state agencies, local governments, the agricultural sector, land developers, and local watershed and water quality conservation groups. Map 2 provides location information for each of the segments below with the exception of ELIMH. This segment was merged with segment ELIPH in 2003.

Figure 2-7: James River Analytical Segmentation Scheme map



Building on accomplishments

The Chesapeake Bay Program has tracked nitrogen, phosphorus, and sediment loads in Virginia by major land use for approximately twenty years. Based on collected data, state and local agencies can monitor the progress of nonpoint and point source pollution reduction programs and initiatives. The following pie charts provide an overview of the percent of total nitrogen, phosphorus, and sediment loads by land use for the years 1985 and 2002 for each of the sub-watershed basins. Two of the land uses, agricultural and urban, expand to include hay, high-till, low-till, manure, and pasture, and impervious and impervious cover, respectively. More information on sub-basin specific land uses can be found in Appendix D.

FIGURE 2-8. 1985 James Nitrogen by Source

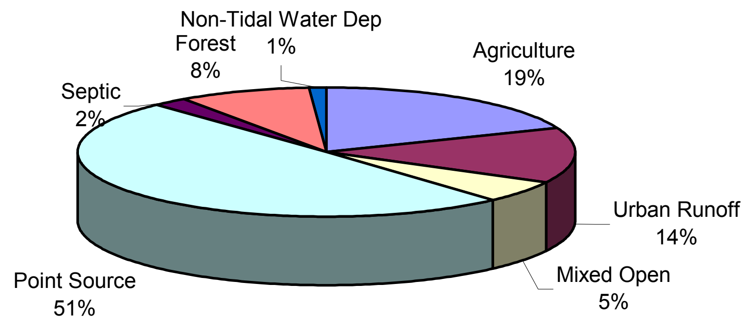


FIGURE 2-9. 2002 James Nitrogen by Source

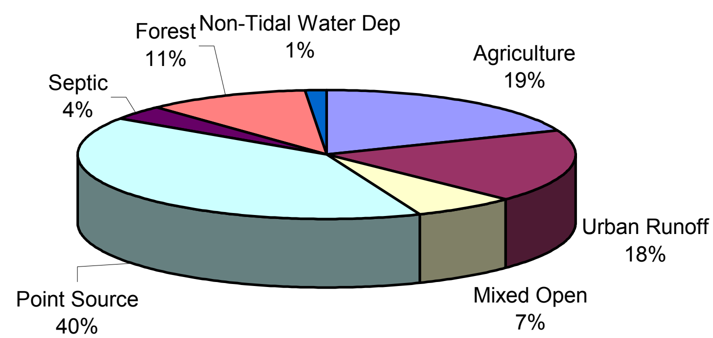


FIGURE 2-10. 2010 James Nitrogen by Source

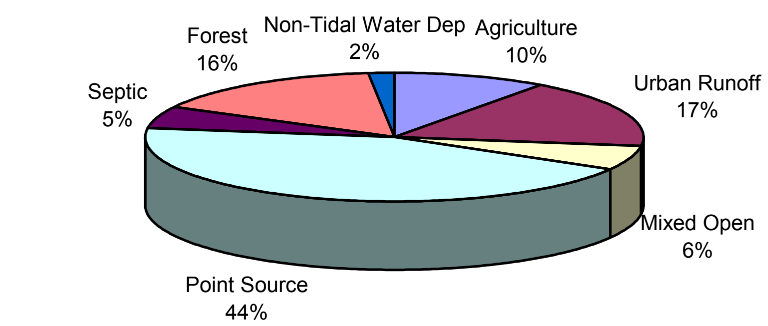


FIGURE 2-11. 1985 James Phosphorus by Source

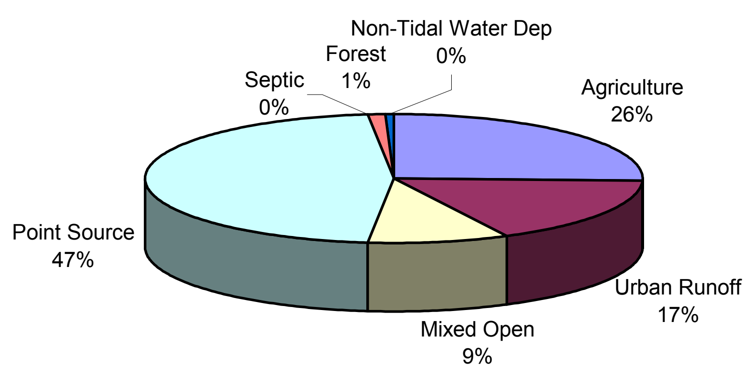


FIGURE 2-12. 2002 James Phosphorus by Source

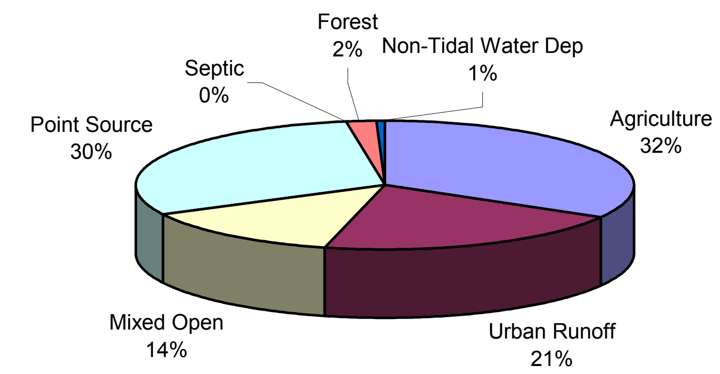


FIGURE 2-13. 2010 James Phosphorus by Source

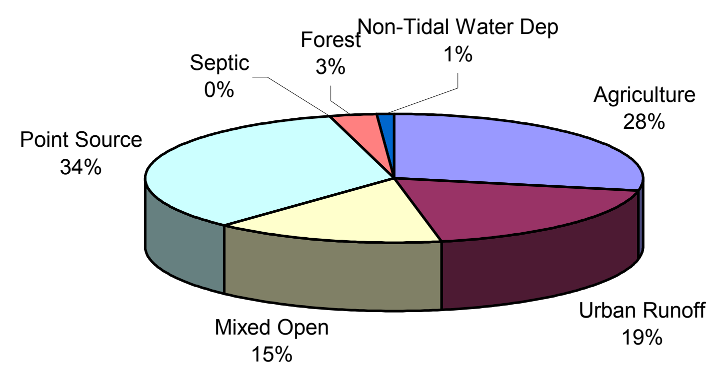


FIGURE 2-14. 1985 James Sediment by Source

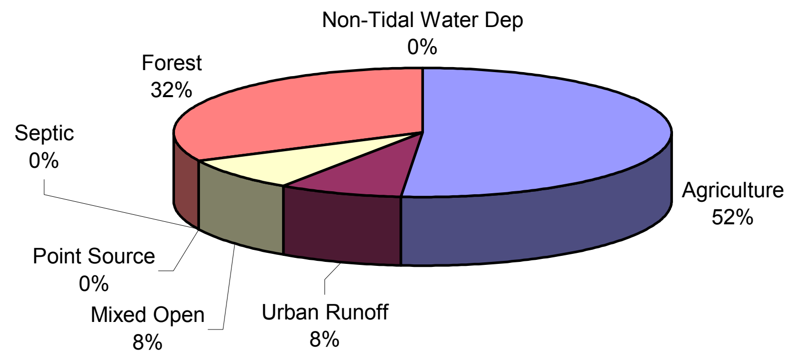


FIGURE 2-15. 2002 James Sediment by Source

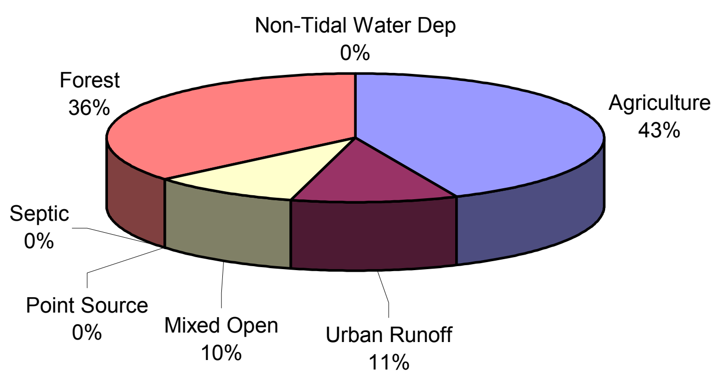
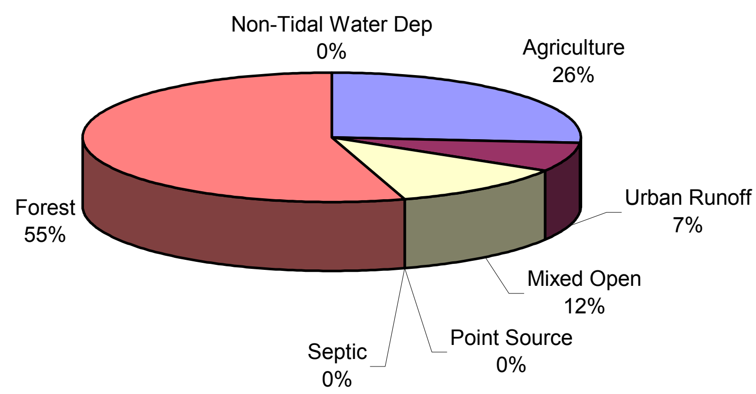


FIGURE 2-16. 2010 James Sediment by Source



Progress to date (Nonpoint source BMPs and CREP)

The Department of Conservation and Recreation (DCR) tracks all best management practices (BMPs) and Conservation Reserve Enhancement Program (CREP) practices that receive funding through the Virginia Agricultural Best Management Practices Cost-Share Program. This program is administered by the 47 Soil and Water Conservation Districts (SWCD) state-wide. Funds provided assist farmers with the cost of installing conservation practices that protect water as well as enhance productivity by conserving soil and making wise use of other farm resources. Soil and Water Conservation Districts working within the James River watershed include: Blue Ridge, Headwaters, Mountain, Mountain Castles, Natural Bridge, and Skyline in the Upper James basin; Appomattox River, Culpeper, Hanover-Caroline, Henricopolis, James River, Monacan, Peaks of Otter, Peter Francisco, Piedmont, Robert E. Lee, and Thomas Jefferson in the Middle James basin; and, Colonial, Peanut, and Virginia Dare in the Lower James River basin.

Table 2-2: DCR Incentives Tracking Program Best Management Practices and Conservation Reserve Enhancement Program Implementation

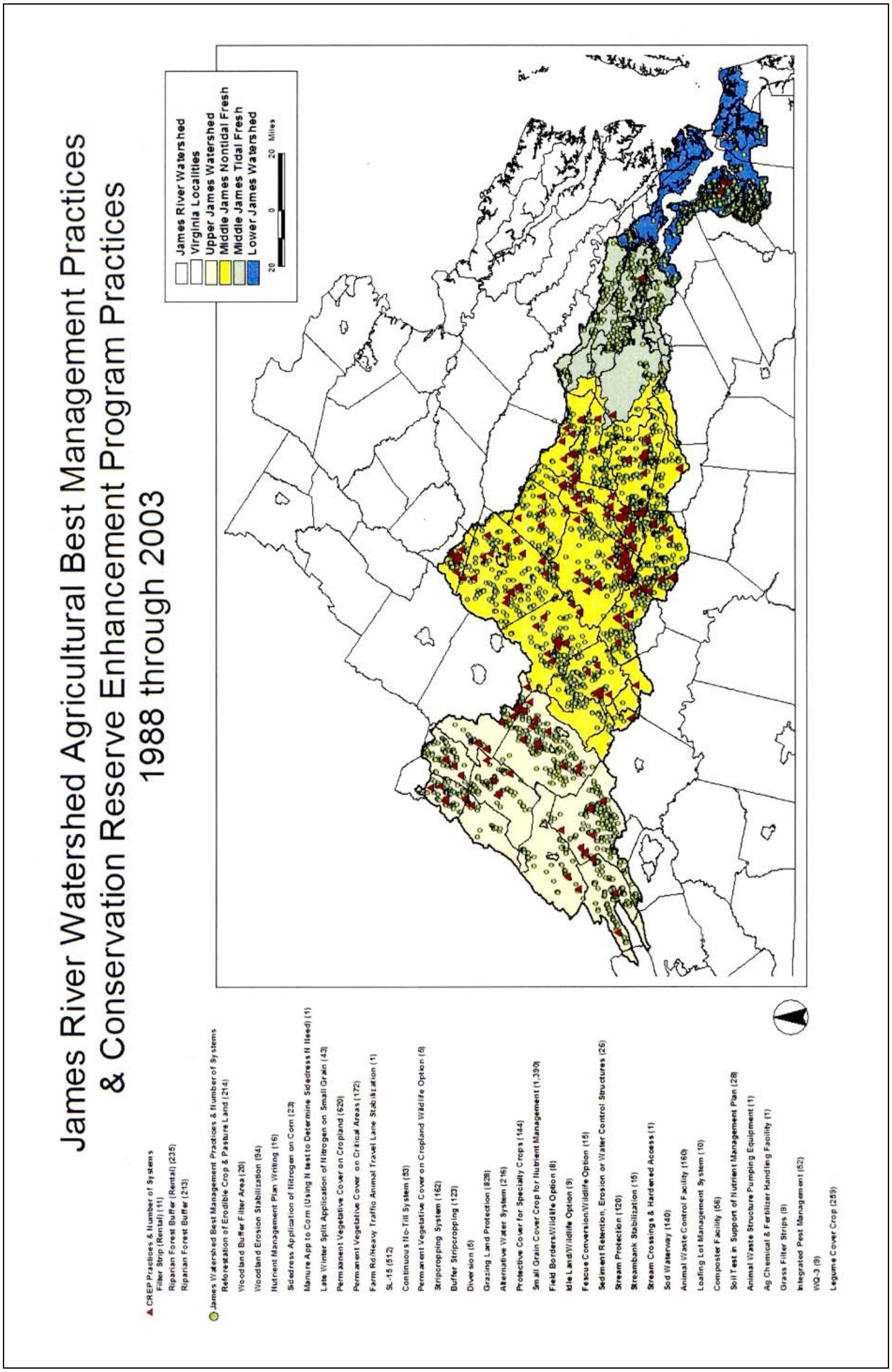
Segment	TotalSegAcres	BMPAcresBenefit	%SegBMP	CREPAcresBenefit	%SegCREP	TotalAcresBen
Upper James						
Seg 265	221,198	1,860	0.84%	10,083	4.56%	11,943
Seg 270 (Upper)	1,690,732	23,694	1.40%	2,661	0.16%	26,355
Subtotal	*1,911,930*	*25,554*	*1.34%*	*12,744*	*0.67%*	*38,298*
Middle James						
Seg 270 (Middle)	131,208	300	0.23%	0	0.00%	300
Seg 280	1,921,280	33,678	1.75%	4,214	0.22%	37,892
Seg 290	321,272	1,951	0.61%	1,059	0.33%	3,010
Seg 300	766,901	11,159	1.46%	4,752	0.62%	15,911
Seg 310	92,408	910	0.98%	33	0.04%	943
Seg 600 (Middle)	565,238	15,127	2.68%	13	0.01%	15,140
Seg 610	160,228	2,467	1.54%	0	0.00%	2,467
Subtotal	*3,958,535*	*65,592*	*1.66%*	*10,071*	*0.25%*	*75,663*
Lower James						
Seg 600 (Lower)	275,811	8,562	3.10%	129	0.05%	8,691
Seg 620	137,078	14,353	10.47%	0	0.00%	14,353
Seg 630	20,691	66	0.32%	0	0.00%	66
Seg 950	24,533	0	0.00%	0	0.00%	0
Seg 955	35,008	0	0.00%	0	0.00%	0
Seg 960	89,385	127	0.14%	3	0.00%	130
Seg 965	55,308	0	0.00%	0	0.00%	0
Subtotal	*637,814*	*23,108*	*3.62%*	*132*	*0.02%*	*23,240*
Total:	6,508,279	114,254	1.76%	22,947	0.35%	137,201

Data Source: Virginia Department of Conservation & Recreation, James River Watershed Soil & Water Conservation Districts, & Chesapeake Bay Program

Since the Virginia Agricultural Best Management Practices Cost-Share Program began, more than 5,500 BMPs have been installed in the James watershed providing a conservation benefit to approximately 114,000 acres of land. The CREP land management program has also played a major role in improving water quality of the James River and its tributaries. The program's rental and cost-share payments help farmers restore riparian buffers, grass filter strips and wetlands. All CREP-enrolled pasture or cropland are planted with hardwood trees or native warm season grasses. Also administered by SWCDs, more than 750 CREP practices have been installed in the James River watershed, providing conservation benefits to approximately 23,000 acres. Table 2-2 displays the breakdown of BMP and CREP implementation based on Chesapeake Bay model segments in the James River watershed. Note the acreage for each segment is based on the whole segment and does not pertain specifically to agricultural lands. Map 3 displays the distribution of agricultural best management practices and CREP projects through October 2003.

Agriculture is not the only focus for best management practice implementation. Soil and Water Conservation Districts, Planning District Commissions and local governments across the watershed are increasingly involved in promoting and assisting with urban BMP installation as agricultural and forestlands are rapidly converted to residential and commercial uses. These types of land-use conversions result in substantial increases in impervious surfaces, thus increasing stress on existing stormwater management systems and, ultimately, the water quality of the James River and its tributaries. Examples of urban best management practices include street sweeping, urban nutrient management, stormwater retrofitting, etc. Although funding for the DCR Cost Share program is exclusively for agricultural practices, legislative action is underway to encourage the Virginia General Assembly to fund urban practices.

Figure 2-17: James Watershed BMPs and CREP Practices, 1988-2003



III. Strategy Practices and Treatments

Nutrient and sediment allocations and reduction goals

The James strategy is one of five developed for Virginia's Chesapeake Bay basins. While each basin has specific nutrient and sediment load allocations to reach, they are a part of overall Virginia Chesapeake Bay nutrient and sediment reduction goals. As the result of the efforts by state staff and stakeholders in all five basins, Virginia has crafted a series of strategies that surpassed Virginia's previous nitrogen, phosphorus and sediment goals (Table 3-1).

Table 3-1: 1985 Baseline, 2002 Progress, Tributary Strategy and Cap Load Allocations [Nitrogen (TN), Phosphorus (TP) and Sediment (SED)]

	TN (LBS/YR) 1985 Baseline	TN (LBS/YR) 2002 Progress	TN (LBS/YR) 2010 VA Strategy	TN (LBS/YR) Cap Load Allocation
Potomac	24,243,869	22,844,023	12,904,649	12,839,755
Rappahannock	9,731,632	7,899,245	4,821,513	5,238,771
York	8,928,555	7,679,383	5,131,859	5,700,000
James	46,863,387	37,258,742	25,366,420	27,900,000
Eastern Shore VA	2,472,513	2,122,892	965,501	1,222,317
VA TOTAL	92,239,955	77,804,285	49,189,942	51,400,843 *

	TP (LBS/YR) 1985 Baseline	TP (LBS/YR) 2002 Progress	TP (LBS/YR) 2010 VA Strategy	TP (LBS/YR) Cap Load Allocation
Potomac	2,312,339	1,951,741	1,120,665	1,401,813
Rappahannock	1,271,262	954,358	595,670	620,000
York	1,151,400	749,445	481,130	480,000
James	8,491,165	5,952,375	3,480,078	3,410,000
Eastern Shore VA	232,516	227,205	82,853	84,448
VA TOTAL	13,458,682	9,835,124	5,760,395	5,996,261

	SED (TONS/YR) 1985 Baseline	SED (TONS/YR) 2002 Progress	SED (TONS/YR) 2010 VA Strategy	SED (TONS/YR) Cap Load Allocation
Potomac	827,718	720,462	391,829	616,622
Rappahannock	417,914	335,183	208,294	288,498
York	157,667	126,987	90,235	102,534
James	1,266,279	1,174,351	810,900	924,711
Eastern Shore VA	23,414	22,036	8,168	8,485
VA TOTAL	2,692,992	2,379,018	1,509,426	1,940,850

* Includes the 1.5 million pound load originally assigned to the James basin

- Please note: The allocations for the York and James Rivers are considered interim pending final adoption of water quality standards.

Allocations for the James River

Table 3-2 shows the allocated nitrogen, phosphorus and sediment loads to the James River and its associated small coastal basins in millions of pounds per year (million of tons in the case of sediment). These limits represent the pollutant loads that are needed to remove the tidal James River from the impaired waters list, thus leading to much-improved water quality and habitat for the Bay's living resources, such as fish and submerged aquatic vegetation.

Table 3-2: James River Basin Allocations

		All Sources	NPS	PS
TN (lbs/yr)	Cap Allocation	27,900,000		
	Tributary Strategy	25,366,420	14,204,645	11,161,774
	2002 Progress	37,258,742	22,165,625	15,093,117
	1985	46,863,387	23,534,347	23,329,040
TP (lbs/yr)	Cap Allocation	3,410,000		
	Tributary Strategy	3,480,078	2,296,960	1,183,118
	2002 Progress	5,952,375	4,168,668	1,783,708
	1985	8,491,165	4,544,827	3,946,339
Sediment (tons/yr)	Cap Allocation	924,711	924,711	
	Tributary Strategy	810,900	810,900	
	2002 Progress	1,174,351	1,174,351	
	1985	1,266,279	1,266,279	

The James River nitrogen load allocation includes 1.5 million pounds of total nitrogen (TN) per year that Virginia accepted as its contribution to eliminating the "orphan" load (8 million pounds TN/yr) identified by the Bay Program's Water Quality Steering Committee prior to the establishment of final allocation values for each of the major basins in the Chesapeake Bay watershed. This "orphan" load could not be attributed to a specific Bay basin after initial allocations were developed. The Water Quality Steering Committee led negotiations among the Bay jurisdictions to split up the eight million pounds.

Secretary of Natural Resources Tayloe Murphy released a statement regarding tributary strategy revisions on August 27, 2004. Referring to the "orphan" load allocation, Secretary Murphy wrote that:

> *"[a] number of comments were received regarding the status of the allocations proposed for the York and James River basins, particularly*

the additional nitrogen reduction, due to the so-called 'orphan load,' that was assigned to the James River basin.

> *For the time being, we will remove assignment of the orphan load reduction from the James River basin and reallocate it following adoption of the water quality standards."* (The full statement can be found here: http://www.naturalresources.virginia.gov/Initiatives/TributaryStrategies/StratRevisions.cfm.)

It was also recognized that the James River has a very slight influence on the Chesapeake Bay, and virtually none on Bay segment CB4 (located approximately in the middle of the Bay from just south of Baltimore, Md., to north of the Potomac River's mouth). This region of the Bay is the most severely affected by low dissolved oxygen conditions, and it is thought that if that area can be improved sufficiently, allowing its removal from the §303(d) impaired waters listing, then all other impaired areas of the Bay will also improve to the point of meeting new Bay water quality criteria and state water quality standards now being developed. Because the James River has little influence on those areas of the Bay, its load cap allocations were established specifically to have the impaired tidal portion of the river removed from the list. Analyses performed by Bay Program and jurisdiction specialists led to the nitrogen, phosphorus and sediment caps listed above.

State agency staff, considering input from stakeholders, developed an approach to apportion the nitrogen, phosphorus and sediment cap loads for the entire basin to each of the three James River tributary strategy planning regions. This approach and summaries of the cap loads and apportioned input decks are presented in Appendix A.

Developing the tributary strategy input decks

Early in the tributary strategy planning process, state staff worked with local stakeholders to develop tributary strategy plans composed of a variety of local pollution abatement techniques, summarized in an "input deck." The objective was to involve and gain support of stakeholders and local governments. Tributary strategy team meetings were held in each basin, during which participants devised strategies that they felt were realistically achievable. In certain cases, state staff augmented these strategies with additional best management practices (BMPs) to help the plan achieve greater pollution reductions.

Once these plans (input decks) were completed, they were run through the Chesapeake Bay Program's Watershed Model to see if they would meet each basin's nutrient and sediment cap load allocations. If the plans did not meet the cap load allocations, state staff more familiar with the workings of the watershed model incorporated the suggestions and concerns of local stakeholders whenever possible into more aggressive input decks.

This draft tributary strategy input deck met or came close to the allocations in all basins and was released in Virginia's draft strategies, open for public comment. The final tributary strategy input deck presented here reflects changes based largely on suggestions received during the public comment period and the expertise of state staff.

Some practices the public wanted included have been added, such as structural and non-structural shoreline erosion control, stream stabilization/restoration and continuous no-till. Wetland restoration, tree planting and stream protection with fencing BMPs were increased to offset the loss of forested buffers that had been reduced to lower costs and because of comments about their potentially excessive use in the drafts. Septic denitrification systems and horse pasture management were removed to lower the cost of the strategies and to reduce the excess total nitrogen that had been achieved in the draft strategies.

Once revisions were made, the revised input deck was run through the model again. This time the allocations were met or exceeded in all basins, and the final strategies were adopted.

Scenario results

The James River Tributary Strategy proposes an input with estimated 2010 basin-wide annual loads of 25.37 million pounds of nitrogen, 3.48 million pounds of phosphorus and 810,900 tons of sediment, as calculated by the Watershed Model. Both nonpoint source practices and point source treatment levels were explored to achieve the reductions proposed. This section reviews the nonpoint source (Table 3-3) and point source input deck (Tables 3-4) or those lists of practices and treatment levels proposed. Appendix D has a more detailed nonpoint source input decks for the three sub-watersheds of the James River.

Nonpoint source input deck summary

The nonpoint source input deck (Table 3-3) includes BMPs for agriculture, urban, mixed open, forests and septic systems. In addition, it clarifies implementation progress as of 2002 and implementation amounts needed between 2002 and 2010. This section discusses targeted BMPs and the approximate acreage to which they will be applied.

The primary focus of the suite of agricultural BMPs was placed on animal waste management systems, land conversion practices and cropland management practices. Animal waste systems were applied to 100 percent of available sites. Traditional land conversion practices, consisting of riparian forest buffers on cropland, hay and pasture (7 percent of available acres converted to forest buffers) and grass buffers on cropland (12 percent of available acres converted to grass buffers) were applied. However, because of levels of treatment required, other land conversion practices, such as wetland restoration (7 percent of hay and cropland acres) and tree planting (10 percent of cropland, hay and pasture acres converted to trees) were applied at much higher rates than current implementation. These land conversion BMPs have a greater effect on nitrogen, phosphorus and sediment reductions with greater "pounds reduced per acre." Also included are stream protection practices, such as off-stream watering with fencing, off-stream watering without fencing, and off-stream watering with fencing and rotational grazing. Application of retirement of highly erodible land and conservation tillage has decreased from 2002 progress to better accommodate more efficient practices on cropland, such as multiple agronomic practices.

Agronomic practices, such as conservation plans, conservation tillage, cover crops, and nutrient management plans, were maximized in the input deck; with 65 percent of the hay, pasture and cropland under conservation plans, 54 percent of the cropland in cover crops and 48 percent in conservation tillage. Nutrient management plans were applied to 59 percent of the cropland and hay acres. These practices are very cost effective and, unlike land conversion BMPs, several such practices can be applied to a given acre, furthering nutrient and sediment reductions.

The BMPs targeted for the mixed open land use include forest buffers, wetland restoration, tree planting and nutrient management planning. Forest buffers and tree planting were applied to 10 percent of the mixed open land, with wetlands restoration applied to 5 percent of available mixed open acres. Nutrient management planning was applied to 58 percent of the mixed open acres remaining after the land use conversions.

Urban stormwater BMPs targeted wet ponds and wetlands, infiltration and filtering practices. These practices are preferable to dry detention ponds and dry extended ponds because of their greater nutrient removal capabilities. Forest buffers were applied to 5 percent of the pervious urban acres, and 6 percent of the pervious urban acres were converted to trees. Nutrient management was applied to 27 percent of the available pervious urban acres.

Forest harvesting practices were applied to 2 percent of the forestland use category.

The BMPs applicable to the septic source category included septic tank pump outs and septic connections. Septic practices have generally been decreased from the draft strategy because of their low cost-benefit effectiveness.

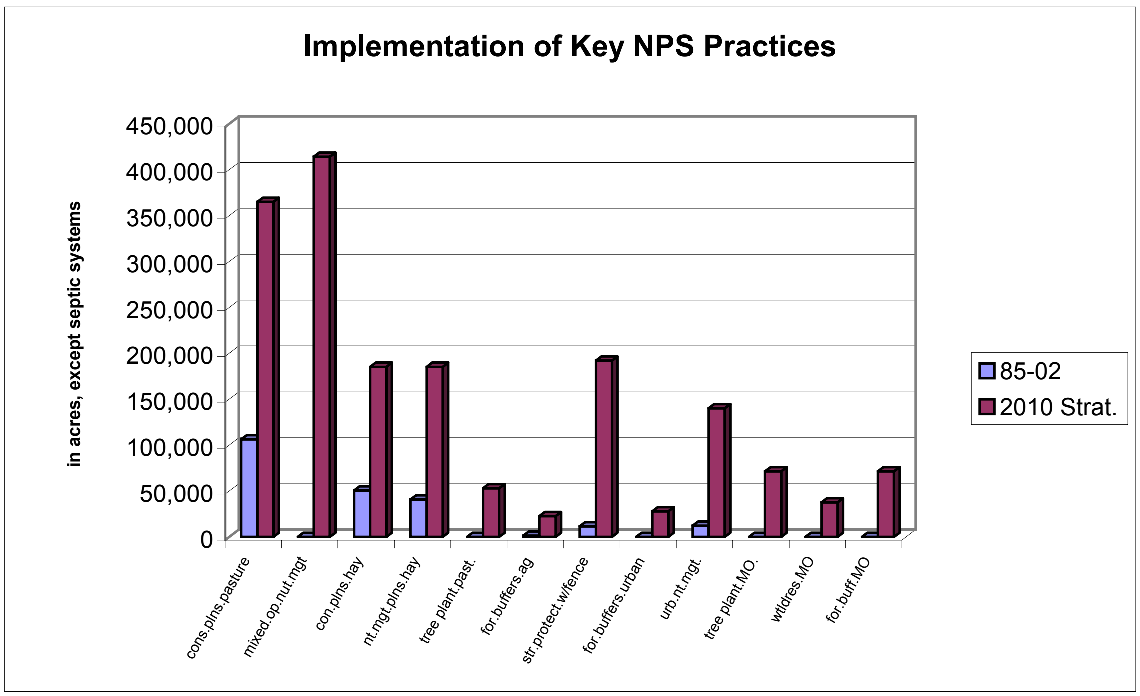
Table 3-3. Nonpoint source input deck, James River basin.

James Basin	Land Use	Available Units	2002 BMP Progress	2010 BMP Goal	Remaining BMP Need
Forestry BMPs					
Forest Harvesting Practices	Forest	3,934,802	0	60,891	60,891
Agricultural BMPs					
Buffers Forested	Hay	299,668	1,340	22,476	21,136
Nutrient Management Plan Implementation	Hay	299,668	40,764	185,250	144,486
Retirement Highly Erodible Land	Hay	299,668	0	0	0
Soil Conservation Water Quality Plans	Hay	299,668	50,526	185,250	134,724
Tree Planting	Hay	299,668	0	30,113	30,113
Wetland Restoration	Hay	299,668	14	29,822	29,808
Yield Reserve	Hay	299,668	0	1,951	1,951
Buffers Forested	Cropland*	167,512	573	10,311	9,739
Buffers Grass	Cropland*	167,512	188	19,918	19,730
Cover Crops	Cropland*	167,512	863	91,055	90,192
Continuous No-Till	Cropland*	167,512	0	23,277	23,277
Conservation Tillage	Cropland*	167,512	102,993	79,716	0
Nutrient Management Plan Implementation	Cropland*	167,512	44,469	91,055	46,586
Retirement Highly Erodible Land	Cropland*	167,512	8,910	0	0
Soil Conservation Water Quality Plans	Cropland*	167,512	103,857	91,055	0
Tree Planting	Cropland*	167,512	0	11,615	11,615
Wetland Restoration	Cropland*	167,512	5	3,872	3,867
Yield Reserve	Cropland*	167,512	0	658	658
Animal Waste Management Systems/Barnyard Runoff Control	Manure	255	93	255	162
Poultry Litter Alternative Use/Transported (Dry Tons)	Manure	107,809	0	11,213	11,213
Buffers Forested	Pasture	525,324	0	39,523	39,523
Grazing Land Protection	Pasture	525,324	41,429	38,419	0
Soil Conservation Water Quality Plans	Pasture	525,324	106,197	364,976	258,779
Stream Protection with Fencing	Pasture	525,324	11,468	192,091	180,623
Stream Protection without Fencing	Pasture	525,324	0	115,256	115,256
Stream Stabilization/Restoration (linear feet)	Pasture	na	0	43,000	43,000
Tree Planting	Pasture	525,324	0	52,776	52,776
Urban BMPs					
Buffers Forested	Pervious Urban	515,544	0	27,757	27,757
Erosion Sediment Control	Impervious Urban	281,954	0	56,393	56,393
Erosion Sediment Control	Pervious Urban	515,544	0	73,767	73,767
Nutrient Management Plan Implementation	Pervious Urban	515,544	12,147	140,151	128,004
Non Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	71,000	71,000
Stream Restoration (linear feet)	Impervious Urban	na	0	50,000	50,000
Stream Restoration (linear feet)	Pervious Urban	na	0	65,000	65,000
Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	7,100	7,100
Storm Water Management - Filtering Practices	Impervious Urban	281,954	0	39,362	39,362
Storm Water Management - Filtering Practices	Pervious Urban	515,544	0	71,460	71,460
Storm Water Management - Infiltration Practices	Impervious Urban	281,954	0	39,362	39,362
Storm Water Management - Infiltration Practices	Pervious Urban	515,544	0	71,460	71,460
Storm Water Management - Wet Ponds/Wetlands	Pervious Urban	515,544	0	71,460	71,460
Storm Water Management - Wet Ponds/Wetlands	Impervious Urban	281,954	0	39,362	39,362
Tree Planting	Pervious Urban	515,544	0	30,931	30,931
Mixed Open BMPs					
Buffers Forested	Mixed Open	712,091	0	71,224	71,224
Nutrient Management Plan Implementation	Mixed Open	712,091	0	414,150	414,150
Non Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	33,500	33,500
Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	3,350	3,350
Tree Planting	Mixed Open	712,091	0	71,225	71,225
Wetland Restoration	Mixed Open	712,091	0	37,699	37,699
Septic BMPs					
Septic Connections (systems)	Septic	163,933	0	3,279	3,279
Septic Pumping (systems)	Septic	163,933	0	80,327	80,327

All implementation units are acres unless otherwise noted.
BMPs in bold letters are conversion practices. Once converted, no additional BMPs can be applied.
BMPs not in bold letters are non-conversion practices and can have multiple BMPs applied per acre.

The following bar chart, Figure 3-1, compares key nonpoint source BMP implementation rates from 1985 to 2002 with those the strategy calls for through 2010. Implementation rates for all of these practices and many others will need to increase dramatically. Practices now used extensively will still need to be increased. In some cases, the strategy calls for practices that have previously seen little or no implementation in the basin. While the strategy considered all available BMPs, there are a few practices that have low regional implementation rates. In these cases, either land use or another regional condition limited that particular BMP's use. However every effort was made to identify and maximize the use of all applicable practices.

Figure 3-1. Key James Nonpoint Source Practices (*Source: Chesapeake Bay Program and Virginia Department of Conservation and Recreation)*



Point source input deck summary

In August 2004, Virginia Secretary of Natural Resources W. Tayloe Murphy, Jr., issued a statement on revisions to the draft strategies regarding point source controls. A set of "Guiding Principals" were included, which have now been applied as the basis to set annual waste load allocations for the significant nutrient discharges in the Bay watershed as outlined in the chart below. A further discussion of these principles and point source nutrient reduction proposals can be found in Section IV of this document. The Secretary's entire point source statement is also found as Appendix A. Complete point source input decks can be found in Appendix D.

Annual point source waste load allocations, using a combination of current permitted design capacity and the following nutrient concentrations, have been recalculated for each of the Tributary Strategy basins, in accordance with the Secretary's statement (Table 3-4).

Table 3-4: Point Source Waste Load Allocations

Tributary	Values Used to Set Waste Load Allocations	
	Annual Average Nitrogen Concentration	**Annual Average Phosphorus Concentration**
Shenandoah Potomac (above fall line) Rappahannock Eastern Shore	4.0 mg/l	0.3 mg/l
Potomac (below fall line)	3.0 mg/l	0.3 mg/l
James York	To be determined *(load allocations are "interim")*	To be determined *(load allocations are "interim")*

Table 3-5. James River Basin Point Source Input Deck

Facility	WSM Segment	Design Flow (MGD)	Trib Strat TN Conc (mg/l)	2010 TN Load Cap (lbs/yr)	Trib Strat TP Conc (mg/l)	2010 TP Load Cap (lbs/yr)
Buena Vista	270	2.25	5.16	35,330	0.64	4,416
Clifton Forge	270	2.00	6.40	38,985	0.80	4,873
Covington	270	3.00	4.85	44,346	0.61	5,543
Ga. Pacific Corp.	270	8.00	4.06	98,818	2.70	65,879
Hot Springs	270	0.60	5.68	10,380	0.71	1,297
Lees Comm. Carpet	270	2.00	3.60	21,929	3.60	21,929
Lex-Rockbridge Reg.	270	3.00	3.20	29,239	0.40	3,655
Alleg. Co.-Lower Jackson	270	1.50	3.00	13,705	0.33	1,523
Low Moor	270	0.50	4.80	7,310	0.60	914
WestVaco-Covington	270	35.00	3.50	373,081	1.53	162,988
Subtotal 270 =		57.85		673,123		273,017
Amherst	280	0.60	3.31	6,043	0.30	548
BWXT	280	1.00	38.10	116,042	0.25	761
Greif Bros., Inc	280	4.96	4.30	64,992	2.06	31,052
Lake Monticello	280	0.95	5.90	17,056	0.37	1,066
Lynchburg	280	17.40	8.00	423,963	0.50	26,498
RWSA-Moores Creek	280	15.00	6.34	289,708	0.40	18,107
Subtotal 280=		39.91		917,804		78,032
Powhatan Cor. Center	290	0.47	5.40	7,724	0.34	483
Subtotal 290=		0.47		7,724		483
Crewe	300	0.50	4.80	7,310	0.60	914
Farmville	300	2.40	3.67	26,802	0.46	3,350

Subtotal 300=		2.90		34,112		4,264
Brown & Williamson	600	2.10	3.00	19,187	0.30	1,919
DuPont-Spruance	600	23.33	2.83	201,080	0.11	7,816
Falling Creek	600	10.10	4.55	140,103	0.46	14,010
Henrico Co.	600	75.00	3.40	776,656	0.34	77,666
Honeywell-Hopewell	600	121.00	2.96	1,091,300	0.14	52,085
Hopewell	600	50.00	8.00	1,218,224	0.35	53,483
Philip Morris	600	2.90	4.59	40,525	0.84	7,427
Proctors Creek	600	21.50	4.37	286,297	0.44	28,630
Richmond	600	41.46	8.00	1,010,151	0.58	73,082
South Central	600	23.00	3.00	210,144	0.30	21,015
Subtotal 600 =		370.39		4,993,666		337,133
Tysons-Glen Allen*	610	1.07	6.54	21,311	0.13	433
Chickahominy WWTP*	610	0.25	3.00	2,284	0.10	76
Subtotal 610 =		1.32		23,595		509
UJR/MJR Total =		472.84		6,650,026		693,438

Facility	WSM Segment	Design Flow (MGD)	Trib Strat TN Conc (mg/l)	2010 TN Load Cap (lbs/yr)	Trib Strat TP Conc (mg/l)	2010 TP Load Cap (lbs/yr)
HRSD-Boat Harbor	600	25	7.04	536,045	0.64	48,706
HRSD-James River	600	20	9.35	569,548	0.85	51,750
HRSD-Williamsburg	600	22.5	7.33	502,542	0.67	45,662
Subtotal 600 =		67.5		1,608,135		146,118
HRSD-Nansemond	620	30	6.97	636,553	0.63	57,838
Subtotal 620 =		30		636,553		57,838
HRSD-Army Base	960	18	9.17	502,542	0.83	45,662
HRSD-VIP	960	40	8.8	1,072,090	0.8	97,411
J.H. Miles	960	0.55	17.45	20,426	0.58	681
Subtotal 960 =		58.55		1,595,058		143,754
HRSD-Ches/Eliz	965	24	20.88	1,526,409	1.49	108,674
Subtotal 965 =		24		1,526,409		108,674
LJR Total =		180.05		5,366,155		456,384

Allocations assigned to the James basin is considered “interim” until the adoption of the amendments to the Virginia Water Quality Standards currently undergoing the public rulemaking process. Therefore, the point source allocations in the James will remain essentially the same as proposed in the draft strategies published in April 2004. After the standards are adopted and the river basin allocations are established, the final point source allocations will be assigned to the James River watershed significant dischargers. Standards are expected to be adopted by the end of 2005.

IV. Implementing the Strategies

The strategies prepared for Virginia's Chesapeake Bay tributaries propose a suite of nonpoint source best management practices, sewage treatment plant upgrades and other actions necessary to achieve the specified nutrient and sediment reductions. The analysis and practices contained in this strategy are an important first step. However, as the input decks outlined in the previous section of this document make clear, achieving the necessary implementation levels go far beyond what we have previously seen. In order for these strategies to be meaningful, we must identify what additional resources and tools are necessary to achieve and cap these nutrient reductions in the timeframe called for by the Chesapeake 2000 Agreement. We must also further refine these strategies over time as new information becomes available.

The citizens of Virginia should receive this clear message. Restoration of the Chesapeake Bay is possible but it will not come without substantial public and private resources and programs that ensure that management practices are adopted and maintained. Without such actions, the promises we have made have no meaning. Without such actions, the economic and environmental benefits of a restored bay will not be realized.

The purpose of this chapter is to outline the implementation framework for both point and nonpoint sources of pollution. In the case of point sources, a set of guiding principles have been established that will be used to set annual waste load allocations for the significant nutrient discharges in the Bay watershed, and constitute the implementation plan for the point source elements of Virginia's tributary strategies.

For nonpoint sources the implementation approach is to refocus available tools, to steer new resources to Virginia's strongest nonpoint source control programs, and to push them to maximize reductions across the landscape. A series of seven areas of emphasis provide the framework for action.

These broad implementation approaches set the general direction, but more detailed strategic planning will be needed to carry them forward. Most of this work will be done at the basin level. State staff will elicit input from existing tributary teams, other stakeholders and citizens of the individual basins. They will then work together in meeting these ambitious and necessary nutrient and sediment reductions.

Point Source Nutrient Reduction Implementation Plan

The original draft tributary strategies, released for public review in April 2004, presented an approach for point source nutrient reduction that took into consideration several factors such as:

- Equity among significant dischargers
- Feasibility of implementing nutrient control technology
- The magnitude of point source nutrient loads from various Bay watershed regions

- The ‘delivery’ of loads from above the fall line
- Cost effectiveness of controls
- Unique conditions at several facilities (e.g., high-strength influent, combined sewers)

As a result, varying concentration levels for effluent total nitrogen and total phosphorus were proposed across the tributary basins, coupled with projected wastewater flows for the year 2010. Numerous comments were received about the use of 2010 flow projections, raising concerns about the accuracy of predictions and potential loss of existing design capacity in order to maintain waste load allocations in the future.

In August 2004, Virginia Secretary of Natural Resources W. Tayloe Murphy, Jr., issued a statement (see Appendix A) on revisions to the draft strategies regarding point source controls. A set of “Guiding Principals” were included, which have now been applied as the basis to set annual waste load allocations for the significant nutrient discharges in the Bay watershed, and constitute the implementation plan for the point source elements of Virginia’s tributary strategies. These principals are:

- Achieve the nutrient reductions necessary to restore the Chesapeake Bay and its tidal tributaries in the timeframe set by the Chesapeake 2000 Agreement;
- Provide for the full use of existing design capacity at each of the significant municipal and industrial wastewater treatment plants; and,
- Apply currently available, stringent nutrient reduction technologies at these treatment plants.

This policy directive has been incorporated into revisions that DEQ proposes for the <u>Water Quality Management Plan (WQMP) Regulation</u> (9-VAC-25-720), which is now moving through the public process. Annual point source **waste load allocations**, using a combination of **current permitted design capacity** and **the following nutrient concentrations**, have been recalculated for each of the Tributary Strategy basins, in accordance with the Secretary’s statement:

Tributary	**Values Used to Set Waste Load Allocations**	
	Annual Average Nitrogen Concentration	**Annual Average Phosphorus Concentration**
Shenandoah Potomac (above fall line) Rappahannock Eastern Shore	4.0 mg/l	0.3 mg/l
Potomac (below fall line)	3.0 mg/l	0.3 mg/l
James York	To be determined *(load allocations are “interim”)*	To be determined *(load allocations are “interim”)*

If a facility is currently subject to more stringent permit requirements than shown above, the more restrictive concentrations still apply. The allocations assigned to the York and James basins are considered “interim” until the adoption of the amendments to the Virginia Water Quality Standards currently undergoing the public rulemaking process.

Therefore, the point source allocations in those basins will remain essentially the same as proposed in the draft strategies published in April 2004. After the standards are adopted and the river basin allocations are established, the final point source allocations will be assigned to the significant dischargers in those basins. Standards are expected to be adopted by the end of 2005.

Proposed revisions to the WQMP Regulation also include provisions for the use of point source trading and offsets. This watershed-based approach would allow allocation trading among significant dischargers within the same basin, and offsets for future load increases resulting from rising wastewater flows. A combination of point source trades and nonpoint source offsets (through the installation, operation and maintenance of Best Management Practices), is being considered, all of which would be governed under a facility's VPDES permit.

In addition to the waste load allocations, DEQ is proceeding with a companion rulemaking to establish concentration-based limits for point source nutrient discharges. The objective of this regulation is to ensure that all wastewater treatment plants have some minimum role in the nutrient reduction efforts within the Virginia Bay watershed. The Regulation for Nutrient Enriched Waters and Dischargers within the Chesapeake Bay Watershed (9-VAC-25-40) proposes technology-based, annual average limits for nitrogen and phosphorus. It states as a policy of the State Water Control Board that point source dischargers within Chesapeake Bay watershed will utilize Biological Nutrient Removal treatment or its equivalent whenever feasible. Annual average concentration limits of 8.0 mg/l for nitrogen, and 1.0 mg/l for phosphorus, are proposed for existing discharges. For new or expanded discharges, annual average concentration limits of 3.0 mg/l for nitrogen and 0.3 mg/l for phosphorus are proposed. Point sources must also meet the annual waste load allocations in the WQMP Regulation. Whichever of these two requirements (concentration or waste load) is the most stringent will dictate the actual effluent nutrient levels discharged at a particular facility.

Details about both point source nutrient discharge rulemakings are available via the DEQ Chesapeake Bay Program webpage: **http://www.deq.virginia.gov/bay/multi.html.**

In January 2005, EPA issued a permit approach for discharges within the Chesapeake Bay watershed. It describes how permits will be issued to wastewater treatment plants once water quality standards are adopted by Maryland and Virginia. DEQ will incorporate this approach into the tributary strategies implementation plan.

Nonpoint Source: A Programmatic Approach

Unlike point sources where treatment technologies can achieve specified nutrient reductions, nonpoint source controls are much more difficult to implement and maintain. They encompass multiple control strategies and must be placed on land by thousands of landowners, land managers, local governments and others. They include a mix of voluntary and regulatory programs and can be greatly affected by climatic events. In short, the management framework for nonpoint source is quite different than for point sources.

In addition to the inherent difficulties in managing nonpoint source controls, the extent of the proposed practices contained in the “input decks” of the proposed strategies go far beyond what current programs with current resources can deliver and well beyond the highest participation levels ever achieved. All of the practices proposed cannot be implemented immediately.

The Virginia Department of Conservation and Recreation (DCR), designated as the state’s lead nonpoint source control agency in the Commonwealth, is responsible for all nonpoint source initiatives contained in these tributary strategies. While DCR has the lead in these efforts, the cooperation and participation of other state and federal agencies, local governments, farmers, developers, homeowners, businesses and many others will be absolutely necessary if Virginia is to meet these ambitious Bay improvement goals.

The DCR approach is to refocus available tools, to steer new resources to Virginia’s strongest nonpoint source control programs, and to push them to maximize reductions across the landscape. The following summaries briefly outline this approach on a programmatic basis. It outlines program need, specific actions that will be taken in the next two years and beyond. This compilation will serve as the general framework for implementation of proposed nonpoint management practices in each of Virginia’s Chesapeake Bay basins and as a resource for those developing basin, sub-basin or regional reduction actions.

Specific strategies and timelines may be modified to account for the natural resource needs, resources available and specific land use issues in each basin. Input will be solicited from the tributary teams in each basin to assist in tailoring these programmatic strategies to local needs.

A discussion of nonpoint source costs appears in Section V this document. Many of the costs associated with carrying out these programmatic goals are included in the input deck costs. Others such as the enhancement of nonpoint source tracking systems and expanded outreach and the use of media to reduce nonpoint source pollution are not fully covered in the previous discussions of costs. The ability to meet those challenges and to maintain the timeframe for implementation provided in the following summaries is dependent on the availability of resources now and in the future.

1. Agricultural Best Management Practices (BMP) Acceleration

Implementation of agricultural BMPs will achieve the most significant and cost effective reduction of nutrients and sediments from nonpoint sources. Agricultural BMPs include establishing field buffers (trees and grasses), maintaining cover crops and minimizing field tillage, managing nutrients (from commercial and animal waste sources) and managing grazing livestock. Implementing these BMPs requires significant investments of time and labor. While farmers voluntarily implement some amount of BMPs at no direct cost to the Commonwealth, Virginia's tax credit opportunities and availability of cost-share dollars create incentives for the installation of many other much needed water quality related practices on farms. Possibly the most significant motivators for installation of agricultural BMPs are financial incentive programs such as Virginia's Agricultural BMP Cost-Share Program and the federal USDA EQIP (Environmental Quality Incentive Program).

Accelerating installation of BMPs to achieve and maintain nonpoint source pollution reduction goals from agriculture sources will require a substantial increase in state cost share funding and the effective use of these new funds. Creative new approaches, increased targeting and stronger accountability requirements will also be needed. The analysis that follows focuses on more effective use of Virginia's Agricultural BMP Cost-Share Program as the means to achieve desired reductions.

Current status and projected needs to achieve Tributary Strategy Goals

Virginia's Agricultural BMP Cost-Share Program provides financial incentives to agricultural operators throughout Virginia that encourage the voluntary installation of BMPs that reduce agricultural nonpoint source pollutants. The program focuses on BMPs that reduce sediment and nutrient laden runoff from both commercial fertilizers and animal wastes. Funds are made available on a shared-cost basis (i.e. 75 percent of authorized costs borne by program funds with 25 percent contributed by the participant) or through flat rate incentive payments.

Virginia tributary strategies specify a level of increased voluntary participation in agricultural BMP implementation that is of historic levels. Currently, only 30 percent of the agricultural lands in the watershed are covered by conservation BMPs. The tributary strategies call for 92 percent of these lands to be treated. Reaching this level will require corresponding increases in cost-share funds, as well as costs associated with program delivery (technical and administrative).

Meeting the tributary strategy goals for agricultural BMP implementation will require new and more aggressive approaches to delivery of the Agricultural BMP Cost-Share program. In addition, greater levels of state and local service delivery will need to be in place. In order to make the continual progress required in the tributary strategies, the base funding level for BMPs must remain stable as opposed to the as opposed to the ebb and flow of past years. Finally, greater prioritization and targeting of the most cost-effective BMPs will be absolutely necessary to make substantial progress.

Challenges

To achieve the agricultural BMP goals consideration must be given to:

- Substantially increasing Agricultural BMP Cost-Share program base funding to stimulate greater voluntary participation by farmers and support the costs of program delivery by DCR and the state's soil and water conservation districts.

- Examining levels of financial incentives for implementation of priority agricultural BMPs to determine whether existing levels of cost share assistance will stimulate the increase needed in participation or if program changes are necessary
- Increasing usage of remote sensing, GIS systems and targeting techniques to identify specific agricultural operations with high pollution value in need of BMP implementation
- Examining and identifying more effective recruitment approaches to better target non-participating agricultural operations.
- Increasing technical assistance in the field to better service and assist with BMP implementation by farmers.
- Targeting of state and federal cost share program dollars to increase nutrient reductions.
- Improving estimates of the effectiveness of BMPs offered through the cost-share programs.
- Expanding educational programs for agricultural BMPs that address implementation incentives, water quality benefits, farm profitability and other issues.
- Identifying and tracking voluntarily installed BMPs
- Developing innovative approaches for involving religious groups engaged in agriculture that currently do not participate in existing government cost share programs because they are contrary to their traditions and beliefs.
- Identifying nutrient and sediment reductions methodologies to track NPS reductions of all BMPs.
- Coordinating and facilitating agreement between the Virginia Agricultural BMP Cost-Share program NPS reductions and the Chesapeake Bay Program Watershed model on reduction levels achieved by BMPs, so that all BMPs implemented receive appropriate credit for reductions accomplished.

Overview of Best Management Practices 2010 Program Needs

In order for Virginia to meet the goals laid out in the tributary strategies in 2010, the following Best Management Practices conditions must be met:

- NPS pollutant reduction estimates will need to be generated for all BMPs implemented under the cost-share program.
- All state owned, operated or leased agricultural lands need to implement appropriate BMPs that minimize runoff of nutrients and sediments.
- Build capability for the Commonwealth to certify the satisfactory installation of the structural BMPs (BMPs not placed on agricultural lands) that require engineering expertise. Presently Virginia's SWCDs rely on assistance from engineers employed by the USDA Natural Resources Conservation Service (NRCS). This arrangement cannot sustain greatly expanded federal and state cost-share incentive programs

- Fulfill DCR staffing needs to effectively administer cost-share and associated programs; particularly agricultural engineers capable of designing structural BMPs.
- Increased incentives will need to be in place to assure (through voluntary, regulatory and financial incentives) significant increases in the number of farm operations that implement BMPs.
- Better utilization of cost-effective and innovative approaches including widespread use of phytase feed additives to reduce nutrients in animal wastes.
- Increased incentives and authorized alternative uses and transfer options for cost effective and environmentally sound treatment of animal wastes and poultry litter.

Year 2005-2007 Agricultural Best Management Practices Cost-Share Initiatives:

DCR commits to the following actions in support of the tributary strategies:

- Carry out the General Assembly budget bill directives (2004 session) that focus on analysis of agricultural BMP implementation by SWCDs and seek support for implementing recommended study outcomes (final report due December 31, 2005).
- Consider BMP effectiveness analysis performed in support of Chesapeake Bay restoration by the Chesapeake Bay Commission; incorporate in Virginia's Agricultural BMP Cost-Share Program as appropriate.
- Continue to refine expectations of SWCDs implementing nonpoint source agricultural programs and clarify expectations annually through grant agreements between DCR and every SWCD.
- Implement additional Conservation Reserve Enhancement Program (CREP) financial incentives, as funded by the Chesapeake Bay Restoration Fund, to accelerate achievement of program goals in the Chesapeake Bay watershed. Similar actions will be taken in the southern rivers regions of Virginia
- Evaluate current financial incentives offered through the Agricultural BMP Cost-Share Program on agricultural lands and implement revisions to enhance participation in those practices identified as cost effective and priority practices. Revisions could include increases to rates paid for implementation of BMPs.
- Evaluate DCR staffing needs for accelerated BMP implementation and evaluate options for increased technical assistance for engineering structural BMPs including private sector contracting, DCR staff expansion, and other options. Seek support to meet technical assistance needs.
- Examine and consider any needed changes in the delivery of the cost-share program including services and support provided by the SWCDs, NRCS and the Virginia Cooperative Extension (CES) and private sector organizations and personnel.
- Better integrate state and federal programs so that state and federal BMP cost-share funding dovetail to maximize financial incentives to agricultural operators.
- Begin development of an enhanced methodology to report, track, and map BMP implementation.

- Provide enhanced targeting and recruitment resources, e.g. aerial photography interpretation, GPS analysis, county land records search to better identify non-program participants and target their involvement
- Increase SWCD staff to expand recruitment of participants and to provide technical services for BMP installation
- Encourage CREP buffers, nutrient management plans and Riparian Forest Buffer restorations on all state owned, operated, and leased agricultural lands; investigate and consider pursuit of requirements for such BMPs on these lands.
- Increase available cost-share funding for agricultural BMPs within the Bay watershed based on the evaluated need. Funding to be available as a financial incentive for all land uses dependent on evaluation of need and strategies determined.
- Explore educational outreach strategies for BMP usage and ways to reach more land users to encourage voluntary BMP implementation.
- Target individual agricultural operations that have not yet excluded livestock from flowing surface waters.
- Increase grants to local governments to restore Riparian Forest Buffers on all local government owned land.

Year 2008-2010 Agricultural Best Management Practices Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Continue efforts begun in 2005, 2006 and 2007 and seek increases in financial incentives and technical assistance as necessary to meet reduction goals.
- Consider need for further approaches to exclude livestock from surface waters.
- Consider need for further approaches to protect karst recharge areas (sinkhole protection) from agriculturally contaminated runoff.
- Further refine tracking, mapping and reporting of voluntary and cost-shared best management practices and reductions.

2. Expansion of Nutrient Management Planning and Implementation Efforts

Nutrient management planning is a practice to ensure that nutrients used on a variety of farm fields and landscapes are provided at appropriate levels and times needed for crop growth and to ensure protection of ground and surface water, as well as the soil's quality, health and productivity. Nutrient management planning is appropriate for all land uses including agriculture, urban areas, golf courses, nurseries and other areas where crops and vegetation are grown and managed. When properly developed and implemented, nutrient management is a cost effective tool to help farmers and other landowners and to protect water quality. Nutrient management has been identified by the Chesapeake Bay Commission as one of the most cost effective practices available for achieving the nonpoint source nutrient reduction goals.

Current Status and Projected Needs for Nutrient Management Planning to Achieve Tributary Strategy Goals

The tributary strategies identify needed reductions from nutrient management plans for agricultural, urban and mixed open land uses. Mixed open areas include parks, athletic fields, and golf courses and similar land uses not otherwise classified as urban land use areas. The current status and projected nutrient management planning needs for these areas is outlined in the following:

	2002 credited Bay Program nutrient mgt. acres	% Credited Acres of available land needing nut. mgt.	Trib Strat goal for nutrient mgt. acres	Trib. Strat. Goal - % of available land needing nutrient mgt.
Hayland	257,097	33.0%	522,305	90.4%
Cropland	367,316	47.8%	487,290	90.0%
Total Agricultural Land	624,413	40.3%	1,009,595	90.2%
Urban Land	34,307	2.9%	337,667	99.3%
Mixed Open Land	0	0%	970,735	78.4%

The last column of the table indicates that meeting the tributary strategy goal for nutrient management for all land uses, except mixed open, will need to exceed 90 percent of the land available for nutrient management. About 40 percent of these lands are currently utilizing nutrient management planning. The additional coverage will need to be achieved while revising nutrient management plans on those acres already covered. In addition, 78.4 percent of the lands classified as mixed open will require nutrient management. This is significant since the Bay Program credited no mixed open lands in 2002 as having nutrient management. While nutrient management on mixed open lands have not been a priority, some practices do exist. However, they are not credited because no system to track and report them to Bay Program modelers exists. Similarly, the Bay Program credits only a small percentage of urban lands with nutrient management.

In November 2004, the Joint Legislative Audit and Review Commission (JLARC), the state's legislative evaluation agency completed its ***Review of Nutrient Management Planning in Virginia.*** It includes a discussion of the tributary planning nutrient management goals and some options to be considered in addressing these goals. As the JLARC report states, "The tributary strategy nutrient reduction goals for 2010 are very challenging." The report further states, "Virginia Tributary Strategies indicate a level of increase in agriculture NMP coverage on a voluntary basis that may be unrealistic" and that "Tributary Strategies goals for urban nutrient management seem unrealistic."
It is clear that meeting the tributary strategy goals will require new and more aggressive approaches in order to achieve greater acreage covered by nutrient management planning in Virginia. The options considered in the JLARC report were analyzed in developing the implementation options outlined below. All of these have been considered by DCR and other agencies for sometime:

- Increased financial incentives for nutrient management planning.
- Better enforcement of existing requirements for nutrient management planning.

- Requiring more acreage to be managed under a nutrient management plan.
- Financial and other support for alternate uses for animal wastes.
- Educational programs concerning proper nutrient application on all lands
- Enhanced technical assistance for nutrient management planning to land users.
- Better capabilities to estimate and target most cost effective nutrient management pollutant reductions and track accomplishments.

The options begin with an overview of program strategies needing to be implemented by 2010 and follows with a timetable to achieving those strategies.

Overview of Nutrient Management 2010 Program Needs

In order for Virginia to meet the goals laid out in the tributary strategies in 2010, the following nutrient management conditions must be met:

- Cost share will need to be provided for a broader range of nutrient management planning and practices on a land uses to include agricultural lands and targeted urban and mixed open land uses where nutrient load reductions are possible.
- Increased incentives will need to be in place to encourage a significant increase in lands placed under nutrient management planning.
- As recommended in the JLARC report, all state owned or operated lands should be managed with nutrient management practices and these lands should serve as a model for proper nutrient management.
- Alternative uses of animal waste such as burning as fuel or packaging as gardening fertilizer for homeowners and options transferring waste to other areas of the state or country for use as agricultural fertilizer that are cost effective and environmentally sound will be implemented.
- Implement nutrient management based on both nitrogen and phosphorus crop needs and environmental concerns (many are now only nitrogen based) to address all sources of nutrients.
- Use of all nutrients on land, including biosolids, will need to be done in accordance with nutrient management plans.
- Implementation of all nutrient management plans will need to be fully achieved and continued.

Year 2005-2007 Nutrient Management Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Evaluate current financial incentives provided for nutrient management planning on agricultural lands and implement revisions to enhance participation. Revisions could include increases to rates paid per acre for nutrient planning and increases in amounts paid for revised plans and incentives for keeping plans current.
- Increase available cost share funding for nutrient management planning for the Bay watershed based on the evaluated need. Funding to be available as a financial

incentive for all land uses depending upon the evaluation of need and strategies determined.

- Evaluate DCR staffing needs for accelerated nutrient management and evaluate options for increased technical assistance for nutrient management including contracting with SWCDs and private sector planners, DCR staff expansion, and other options. Seek legislative support to meet technical assistance needs.
- Evaluate appropriate roles for conservation partners in nutrient management to include the SWCDs, the NRCS and the CES and private sector organizations and personnel.
- Complete revisions to nutrient management training and certification regulations to address phosphorus management requirements, timing of nutrient applications and other required revisions to improve the quality of nutrient management plans.
- Develop framework for expanded nutrient management programs for urban and mixed open land uses and estimate staffing and financial resources required to implement the expanded programs.
- Begin the development of an enhanced methodology to track accomplishments in nutrient management planning by determining the land areas requiring treatment and tracking and reporting acres planned and estimated nutrient reductions achieved.
- Evaluate educational outreach strategies for nutrient management planning and ways to reach more land users to encourage voluntary nutrient management implementation.
- Require implementation of nutrient management planning on all state owned and operated lands including state universities and colleges.
- Enhance utilization of phytase by poultry producers to reduce phosphorus content of poultry waste as a pollution prevention strategy.
- Support enactment of an urban fertilizer label law providing users with nutrient management information.
- Consider the merits and risks of implementing a yield reserve program for cropland to reduce nutrient application rates to levels 15 percent below those contained in nutrient management plans.
- Based on available staff and financial resources, continue development of new strategies and begin implementation of enhanced nutrient management programs on priority land uses within the watershed.
- Evaluate effectiveness of new approaches and track accomplishments and associated nutrient reductions from all activities.
- Participate with industry in at least one pilot project aimed at developing alternative uses for poultry litter or animal manure.

Year 2008-2010 Nutrient Management Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Continue efforts begun in 2005-2007 period and increase financial incentives and technical assistance as appropriate to meet program goals.

- Consider whether the need for additional incentives or regulatory approaches are warranted to enhance nutrient management plan implementation in order to meet tributary goals.
- Enhance utilization of phytase by poultry producers to reduce phosphorus content of poultry waste.
- Require nutrient management practices as part of erosion and sediment control plans for land disturbing activities.
- Develop and implement alternative uses and transfer options for animal wastes.
- Requirements and options for alternative waste uses and animal waste transfer will be fully evaluated and implemented as appropriate.
- Improve regulation and implementation of biosolids nutrient management.
- Improve tracking and reporting of nutrient management practices and reductions.

3. The Consolidation and Strengthening of the Virginia Stormwater Management Program

Virginia's stormwater management program is aimed at reducing pollutant loads from urban and suburban land uses and developing areas.

Current Status and Projected Needs

The 2004 Virginia legislature passed into law House Bill 1177, which consolidated the Commonwealth's stormwater programs under the Department of Conservation and Recreation. As part of this consolidation, DCR has become responsible, in partnership with localities, for regulating discharges from both municipal separate stormwater sewers (MS4s) and construction activities greater than one-acre (greater than 2,500 square feet in all areas designated by a locality as being subject to the Chesapeake Bay Preservation Act).

This new law greatly strengthens Virginia's ability to meet its stormwater related tributary strategy goals by requiring certain municipalities to adopt stormwater management and construction permitting programs by July 1, 2006. This change applies to municipalities covered by the CBPA and localities regulated as MS4s. All other localities will be authorized to opt-into the program; otherwise DCR will issue stormwater permits in these localities without a program. In addition, the new law gives DCR the ability to share funding from state permit fees to localities with approved programs. The enhancement of the Virginia Stormwater Management and Erosion and Sediment Control programs is expected to reduce the sediment load to streams statewide by 972,000 tons, the phosphorus load by 466,000 pounds and the nitrogen load by 710,000 pounds annually.

In order to successfully meet its 2010 strategic goals for pollutant reductions in stormwater, Virginia will need to develop strong relationships with local governments as much of the strategic implementation will be at the local level. Sufficient state staffing will be needed to allow effective interaction with local government to develop local programs that are compliant with existing regulation and aid in meeting Virginia's goals. Regulations will need to be flexible enough to address specific watershed problems and allow localities to address the Bay tributary strategy goals.

Challenges

The new Virginia Stormwater Management Act offers an opportunity to better address the impacts from land development that have been inconsistently addressed to date. The major challenge will be the time it will take to put a fully implemented program in place at both the state and local levels.

Year 2005-2007 Stormwater Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Strive to have a minimum of 60 percent of regulated land disturbing activities complying with the general permit requirements for construction activities. There is a 20-25 percent compliance rate currently.
- Ensure 100 percent registration under the existing general permit for MS4 Phase II localities and entities.
- Ensure 100 percent coverage by an individual permit for all MS4 Phase I localities.
- Develop guidelines on what is an acceptable stormwater management program so localities with MS4s, localities located in the CBPA area and localities electing to adopt stormwater management programs may utilize the guidelines in developing their programs for delegation by July 1, 2006.
- Issue the general permits for stormwater discharges from construction activities in those localities not delegated stormwater program authority.
- Begin the process to further consolidate the stormwater and erosion and sediment control regulations into one program and enhance enforcement and compliance capabilities.
- Revise the existing Stormwater and ESC handbooks to integrate the program areas and incorporate new local government tools such as stormwater and LID planning and design principles.
- Develop and implement a statewide BMP reporting and tracking system and database
- Work with localities not electing to accept delegation of the general permitting authority to identify the benefits of accepting local delegation.

Year 2008-2010 Stormwater Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Strive to have 100 percent of regulated land disturbing activities covered by the general permit for construction activities.

- Develop review procedures to implement local stormwater program reviews on at least a five-year cycle.
- MS4 programs, both Phase I and Phase II, will be examined to determine, what if any, improvements will be needed to increase the emphasis on meeting specific watershed goals.
- Develop and publish on the DCR website an annual local SWM program compliance report describing local program efforts to reach consistency and develop a recognition program for effective programs.
- Continue to refine regulatory programs as necessary to meet program and tributary goals.
- Continue to work with local entities in implementing innovative strategies and programs at both local and watershed levels to improve water quality in the Bay.
- Establish a training and certification classification type for local stormwater program management that equips local government staff to adequately implement MS4 and construction site permitting programs.

4. Enhancing Implementation of the Virginia Erosion and Sediment Control Program

The Virginia Erosion and Sediment Control Program was established by the Virginia Erosion and Sediment Control Law (§10.1-560 et seq. of the *Code of Virginia*) and is implemented through the Virginia Erosion and Sediment Control. The law and regulations establish minimum standards for both on-the-ground compliance and overall program compliance. Virginia's cities, counties and towns implement the ESC Program locally through ordinances and other local documents. The Virginia Soil and Water Conservation Board and the Virginia Department of Conservation and Recreation provide state leadership and oversight of the local programs. Local program staff is required to be certified in specific program areas of administration, ESC plan review, and inspection. Certified contractors are required for each regulated land disturbance project. Regulated activities must have an approved erosion and sediment control plan that meets the minimum standards and land disturbance must be undertaken in accordance with the approved plan. Statewide, approximately 50,000 acres of land disturbance fall under the jurisdiction of the program annually.

The Virginia Erosion and Sediment Control Program is a foundational program, supporting a number of other program areas. The General Stormwater Permit for Construction Activities requires that an approved erosion and sediment control plan be in place prior to commencement of construction activities on sites of one acre and larger. The Municipal Separate Storm Sewer Systems (MS4s) Individual and General Stormwater Permits require the presence of a consistent erosion and sediment control program within the regulated community. Similarly, the Chesapeake Bay Preservation Act regulations require that affected local governments implement a consistent erosion and sediment control program.

Current Status and Projected Needs to Meet Tributary Strategy Goals

Currently 115 counties, cities and towns in the Chesapeake Bay watershed manage approved ESC programs in accordance with state law and regulations. Approximately 55 percent of the recently reviewed programs were judged consistent with the law and regulations. Of the programs evaluated as inconsistent, several trends were evident. Primary areas of concern include incomplete local ordinances, lack of staff certifications, inconsistent plan review and inspection activities, and weak enforcement. As Virginia continues to grow in population, erosion and sediment control measures will continue to be critical to the protection and maintenance of water quality and habitat within the Bay watershed.

Full and consistent implementation of the Virginia Erosion and Sediment Control Program at the local level is key to meeting the tributary strategy goals. Therefore, full implementation of the programs by localities is essential to the Commonwealth's meeting the tributary goals.

Challenges

To accomplish full implementation, a series of program refinements will be necessary. These will be staged over time to allow local programs to fully incorporate initial improvements before tackling additional ones. The goal is to create an environment that enhances on-going program improvements through regional networking and technology sharing.

Year 2005-2007 Erosion and Sediment Control Enhancements

DCR commits to the following actions in support of the tributary strategies:

- Complete implementation of the 5-year program compliance review cycle and evaluate its effectiveness in securing local program consistency and for identifying program areas of concern.
- Complete revisions to existing training courses to better prepare certified personnel to adequately implement local ESC programs.
- Building on the concept of government-by-example, improve procedures to ensure state agency project compliance with program requirements, utilize appropriate outreach tools to recognize consistently compliant agencies and localities.
- Continue existing and develop new grant and cost-share programs and other incentives to promote LID and implement BMP retrofits through demonstration projects, local development roundtables and other methods.
- Hold regional workshops for local program administrators, county administrators, and city and town managers to share new technologies and tools, address regional issues, resolve/clarify program concerns.
- Develop and implement a statewide BMP reporting and tracking system and database.

- Develop and publish on the DCR website an annual local ESC program compliance report describing local program efforts to reach consistency and develop a recognition program for effective programs.
- Revise the existing ESC and Stormwater handbooks to integrate the program areas and incorporate new local government tools such as stormwater and LID planning and design principles.
- Improve procedures to ensure compliance of utility projects with program requirements.
- Further consolidate the stormwater and ESC regulations into one program enhancing enforcement and compliance capabilities.

Year 2008-2010 Erosion and Sediment Control Enhancements

DCR commits to the following actions in support of the tributary strategies:

- Implement the procedures and obtain the positions needed to complete a five-year local ESC compliance program review cycle.
- Fund and implement BMP cost-share or other incentive program approaches to accelerate LID and BMP retrofit installation.
- Continue implementation and refinement of statewide BMP reporting and tracking system.
- Continue assessment of local program implementation needs and develop tools and approaches to address.
- Continue development and revisions to the training and certification program to address local program staff needs with respect to ESC and stormwater management.

5. Strengthen Implementation of the Chesapeake Bay Preservation Act

Current Status and Projected Needs to Achieve Tributary Strategy Goals

The Chesapeake Bay Preservation Act (Bay Act) provides a comprehensive approach to addressing nonpoint source pollution resulting from the use, development and redevelopment of land within the eastern portion of Virginia's Bay watershed. The active implementation and enforcement of the Bay Act at the local level is critical to maintaining the nutrient and sediment reduction levels to which the Commonwealth is committed. In maximizing the effectiveness of the Chesapeake Bay Preservation Act, the state will work directly with local governments to enhance land development tools to enable development to occur while preventing further degradation of water quality.

The Bay Act's goal is to successfully reduce the negative impacts on the Bay and its Virginia tributaries from the use and development of land. Through its requirements, the Bay Act reinforces and expands erosion, sediment and stormwater management controls for land disturbing activities that occur within Bay Act areas. In addition, the Bay Act's general performance criteria and development criteria for Resource Protection Areas, including the 100 foot buffer requirements, work to minimize the negative water quality impacts that can result from development and minimize impervious cover. This is achieved by applying sound land use practices and ensuring that the negative impacts of development are avoided resulting in a no net increase of nonpoint source pollution, or in certain instances, an actual decrease in pollution loads.

The following BMPs associated with implementation of the Bay Act will help meet tributary strategy goals.

Forested Buffers: The 100-foot buffer area, which is the landward component of the Resource Protection Area, is deemed to achieve at least 75 percent reduction of sediments and a 40 percent reduction of nutrients. Full implementation of these buffers within the 84 jurisdictions currently covered by the Bay Act in Eastern Virginia (39,669 acres) would achieve 23 percent of the forested buffer goal for urban and mixed open land uses within the watershed. The Bay Act provides a complement to other programs that encourage implementation of buffers on agricultural lands, as it requires buffers along shorelines, tributaries, wetlands and water bodies with perennial flow throughout urban, suburban and mixed open areas.

Stormwater BMPs: Full implementation of Bay Act stormwater management requirements within the jurisdictions covered by the Bay Act for both new development and redevelopment (260,486 total acres) would achieve 37 percent of the stormwater related nutrient and sediment reductions called for in the tributary strategies.

Erosion and Sediment Control: Full implementation of erosion and sediment control practices at a reduced threshold (131,225 total acres) would ensure achievement of 46 percent of the erosion and sediment control related reductions called for in the tributary strategies.

Septic System Pumpout: Full implementation of the five-year septic pumpout requirements (82,491 total acres) would achieve 36 percent of the septic pumpout related reductions called for in the tributary strategies. Currently, this is the only enforceable state level septic pumpout program in the Commonwealth.

It is important to note that these numbers are based on reductions that can be achieved in the jurisdictions that lie east of the fall line in the coastal, tidal portions of Virginia's Chesapeake Bay Watershed. Implementation of the Bay Act or similar principles tailored to the westward portion of the state's Bay watershed would result in additional achievements related to overall tributary strategy implementation.

Challenges

In order to maximize effectiveness of the Chesapeake Bay Preservation Act, the state must ensure that local land development ordinances under the Bay Act meet state law; local governments effectively implement performance measures to prevent an increase in nonpoint source pollution from new development and enable a reduction of nonpoint source pollution from redevelopment; state and federal agencies comply with the Bay Act requirements; low impact development, sound land use planning and "better site design" are more fully practiced throughout the watershed; and a deeper understanding of the

importance of nonpoint source pollution and the Bay Act by affected stakeholders and citizens is achieved to ensure effective implementation.
Initial local program compliance evaluations by Bay Act staff indicate that in order to effectively develop and implement programs that fully comply with the statute and regulations, local programs may need additional state funding support for the development of tracking systems, improving Resource Protection Area and perennial stream designation protocols through training, and additional staffing to address enforcement and programmatic revisions.

Overview of Bay Act 2010 Program Needs

In order for Virginia to meet the goals laid out in the tributary strategies in 2010, the following Bay Act conditions must be met:

- A concerted effort to effectively reach and educate affected stakeholders is a critical step in achieving the Commonwealth's goals. The Bay Act has been in place for 15 years in Virginia, yet many citizens and elected officials still are not fully informed about the program and its purpose.
- Additional enforcement options may be necessary to ensure that better compliance is being achieved.
- Restoration of state grants to localities to ensure that local governments provide ongoing implementation and enforcement of the Bay Act regulations.
- Stronger partnerships between state agencies, local governments and the private sector should be developed and/or enhanced.
- Buffer incentive programs may need to be tied more closely to conservation easements, tax credits and other preservation tools.
- Continued advancement of innovative land use tools and science is needed to inform state decision makers, localities and developers on new techniques.
- Virginia should consider whether and in what form to implement Bay Act land use principles and requirements throughout the Chesapeake Bay watershed.

Year 2005-2007 Program Initiatives

DCR commits to the following actions in support of the tributary strategies:

- During the upcoming regulatory review process, DCR will consider revisions that will improve local government Bay Act implementation options and outcomes.
- Continue compliance reviews of local Bay Act programs and make the compliance status of local programs accessible to the public by posting this information on the department web site and will evaluate the compliance reviews to identify areas where localities need additional guidance and support.
- Seek increased funding for local program implementation.
- Develop an outreach and education plan. Initial components of the plan will be implemented, including the targeting specific audiences; developing a clearinghouse of successful local programs and implementation tools; establishing

an awards program for highly innovative Bay communities, development projects, and landscape initiatives.
- Develop a watershed-wide program providing planning assistance that includes voluntary incentives, information pieces, and land planning tools.
- Dedicate resources to partnerships in enhancing research components of the program including development of innovative tools and assisting with perennial water body determinations.
- Support demonstration projects that promote better site design, low impact development practices, cluster development, buffer and easement protection, and other innovative land use practices.
- Work to strengthen partnerships among state agencies and with federal agencies to coordinate Bay Act planning and activities with the TMDL program and the coastal nonpoint source program.
- Support demonstration projects, such as stormwater management retrofits on redevelopment sites or replacement of failing septics with denitrification systems within Bay Act jurisdictions.

Year 2008-2010 Program Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Evaluate initiatives undertaken in 2005-2007 and adjust efforts appropriately.

6. Enhancement of the NPS Implementation Database Tracking Systems

To effectively implement the tributary strategies it will be necessary to develop processes and systems to gather relevant information relating to the installation of practices identified in the strategies. This information will be essential in determining progress in meeting the strategy goals and identifying pollutant reductions achieved and costs.

Current Status and Projected Needs

Currently, DCR has a system to report to the EPA Chesapeake Bay Program agricultural best management practices (BMPs) that are reported by soil and water conservation districts through the Virginia Agricultural Cost-Share Database as well as agricultural BMPs reported by NRCS. These are reported to the Bay Program as an annual progress report. Nutrient management plans written by DCR and private planners acres also reported.

The Department of Forestry began reporting some BMP data for forest harvesting practices in 2003, but historical data is lacking. There is not an adequate reporting system or database to handle urban BMPs, mixed open BMPs, biosolids applications/permits or septic BMPs. Some urban and septic BMPs have been reported to the Bay Program by regional commissions but there is no consistent Bay wide reporting.

An outline of the data tracking and reporting needs would include:

- Establishment of a tracking system that counts all NPS Programs and BMPs is needed. DCR will take the lead in working with a team of partner agencies in developing this tracking system. State partners would include, but not be limited to, DEQ, the Virginia Department of Health and the Virginia Department of Forestry.

- Major components of the tracking system would include the type of BMP, its location, owner or responsible party, date installed, area or units treated, life expectancy, maintenance requirements, costs and reductions expected.

Specific NPS Program Tracking Issues:

Adequacy of existing databases: DCR maintains multiple databases to accomplish the current level of tracking. None of these databases will be adequate to handle the volume of data that needs to be tracked. Separate databases will require merger into a singular database platform for all data sources accessible via the Internet. Some of the specific deficiencies that would need to be addressed in a new tracking system include:

- Historical agricultural data quality and quantity
- Lack BMP installation and maintenance costs
- Ability to define and add newly developed BMPs
- Initiate tracking of mixed open and urban BMPs
- Expand Nutrient Management tracking beyond agricultural uses to incorporate mixed open and urban plans
- Identify and account for voluntary practices
- Onsite Septic Systems/Biosolids

Overview of 2010 NPS Implementation Database Tracking System Needs

In order for Virginia to meet the goals laid out in the tributary strategies in 2010, the following Best Management Practices conditions must be met:

- Virginia will have established a tracking system that can more fully account for conservation activities occurring on all types of lands within the Bay watershed and estimate pollutant reduction contributions to meeting the Bay tributary goals.
- The new tracking system will have the ability to geographically reference conservation activities to assist DCR and other agencies in monitoring progress and targeting programs most effectively.

Year 2005-2007 Tracking Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Identify technological and staffing needs to enhance data tracking capabilities and obtain DCR resources to the extent available or outside expertise to meet these needs to implement the program.
- Develop internal DCR processes to capture accurately all conservation activities that can be accounted towards meeting the tributary strategy goals.
- Enhance capabilities and tracking of DCR nutrient management data in an integrated system.
- DCR will develop and build a database of urban BMP data for new BMPs and develop historical urban BMP data in a suitable manner to track past accomplishments.
- Work with partner conservation agencies/programs to identify needed conservation information to be tracked and reported to a centralized DCR database and establish processes and procedures to implement.
- DCR will develop a reporting and review mechanism to annually report accomplishments achieved in pollutant reductions compared to reductions needed to meet the tributary strategy.
- On an ongoing basis DCR and partner agencies and organizations will evaluate new BMP technologies and expected pollutant reduction efficiencies from existing BMPs to ensure that the database is capturing the most accurate estimates of progress made in pollutant reductions.

Year 2008-2010 Tracking Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Continue to implement and refine the database technology and processes developed in 2005-2007 to accurately reflect program accomplishments.
- During year 2010 provide summary data to analyze the achievement of the 2010 tributary strategy goals.

7. Enhancing outreach, media and education efforts to reduce pollution producing behaviors

Over the past 20 years, the state has been successful in reaching out to stakeholders on Bay related issues through various innovative programs and activities. As a result of these efforts there are specific groups of stakeholders who are very involved in related restoration and water quality efforts. The actions of these involved stakeholder groups including soil and water conservation districts, the agricultural community, developers, local governments and others will remain critical to the state's nutrient reduction efforts.

However, the unprecedented levels of reductions called for in tributary strategies have dramatically increased the need for action by all residents of the Bay watershed. Commitments can no longer be met by working primarily with wastewater treatment authorities, developers and the agricultural community. The public's awareness of their role in improving water quality must be greatly increased if these new commitments are to be met. In addition, efforts with those "traditional" stakeholders must be enhanced.

Taking messages more effectively to engaged stakeholders and alerting and engaging a host of new stakeholders will take both coordination of existing efforts and a variety of new strategies and products.

Current Status and Projected Needs for Outreach and Education to Achieve Tributary Strategy Goals

Despite 20 years of "educational efforts" aimed at alerting the public at large of their impacts on water quality, these efforts must be greatly enhanced to meet the 2010 goals. For example, it is well known by water quality professionals that nonpoint source pollution is the major cause of nutrient and sediment pollution to the Bay. It is also the major water pollution source across the country. Unfortunately, the majority of Americans does not know what nonpoint source pollution is – much less that they contribute to it. A recent nation-wide study conducted by the National Geographic Society showed that 44 percent of the respondents believed that industrial pollution remained the nation's largest pollution problem.

The results of a 2002 survey commissioned by the Chesapeake Bay Program shows that more than 50 percent of all Chesapeake Bay region residents believe that business and industry have the largest impact on water quality in their area.

In fact, in the national survey only **15 percent** realized that runoff pollution – that is, nonpoint source – is actually the largest source of water pollution today.

The Bay survey found that over half (**53 percent)** of those polled did not realize or acknowledge that their daily actions have an impact on their local water quality.

It is clear that additional efforts must be aimed at changing the perception that "someone else" is causing Bay and local water quality problems. As has been repeatedly said, 'we are all part of the problem, but more importantly we can all be part of the solution.'

Challenges

To tackle this overwhelming educational effort, new strategies and new resources will be needed. The Chesapeake Bay Program, with Virginia as a major participant, has funded and have begun initiation of a mass media "Clean Bay" campaign to run in the Washington D.C. media market beginning in February 2005. The campaign is being designed as a pilot so that it can be easily adapted to other media markets in the Bay watershed such as Richmond, Hampton Roads, Lynchburg/Roanoke and Harrisonburg.

The seven-week campaign will target a very specific behavior, lawn fertilization, which impacts the Bay's tidal waters. It is a very focused message to try and elicit a behavior change that will impact the Bay. While focused, it is not insignificant. There are 2.26

million lawns in the Washington D.C. Designated Market Area (DMA), or 840,000 acres. Better nutrient management on these acres would reduce nitrogen loads to the Bay by 1.3 million pounds and phosphorus by 170,000 pounds.

Obviously these types of reductions will not be achieved through a one-time seven-week campaign. This needs to be reoccurring if it is to be successful and it also needs to spread beyond the Washington, D.C./Northern Virginia market. As the campaign grows it can also incorporate other messages such as how to personally reduce stormwater runoff, the use of native landscaping materials, and eventually subjects such as the impacts of increased impervious surface.

A media campaign alone will not be enough to properly inform and engage the public. State agencies and others have developed a variety of programs and tools that would help supplement such a campaign and specifically bring messages and guidance to stakeholders such as local governments, developers, agricultural interests, civic and community groups, and conservation and preservation organizations. However, efforts to reach these stakeholders with the appropriate tools are not often coordinated. Additional staffing and money is needed to facilitate this coordination.

Overview of Outreach and Education 2010 Program Needs

In order for Virginia to meet the goals laid out in the tributary strategies in 2010, the following outreach and educational conditions must be met:

- Continue implementation and evaluation of the Washington market "Clean Bay" campaign.
- Identify funding to continue campaign in the D.C. market. Continue to develop measurements to determine actual reductions achieved.
- Identify funding and modify campaign to other Virginia markets (Richmond, Hampton Roads, Lynchburg/Roanoke, Harrisonburg).
- Use watershed coordinators in each Bay watershed to coordinate existing programs. Bring "Clean Bay" campaign messages and actions "on the ground." This would include working with civic and community groups, coordinating efforts with Virginia Cooperative Extension, Master Gardeners and others. Would work to help build capacity for existing and fledging conservation and watershed groups.
- Fully engage local governments through accelerated support to existing watershed roundtables.
- Coordinate efforts to reach development community, local government officials and planning staff with existing watershed management planning, LID, other tools. Develop new materials as needed.

Year 2005-2007 Outreach Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Evaluate results of the initial Washington DMA "Clean Bay" campaign.
- Establish funding to continue Washington/Northern Virginia campaign; modify based on evaluation.
- Establish funding to bring "Clean Bay" campaign to Richmond market.
- Watershed Coordinators intensify efforts to work with existing and fledgling conservation and watershed groups using Watershed Connections materials and Watershed Management Planning Guides.
- Continue and expand targeted stakeholder outreach using existing conferences, outreach requirements (i.e. Va. Environmental Conference, VACO/VML conferences, MS4 outreach requirements)
- Bring campaign to Hampton Roads, Lynchburg/Roanoke, Fredericksburg and Harrisonburg
- Work with Bay Program on continued analysis of results; determine if results can be measured in terms of actual nutrient reductions.
- Work to coordinate with Virginia Cooperative Extension Service Master Gardeners "on-the-ground" efforts to reach suburban residents in Northern Virginia and Richmond markets.
- Enhance outreach efforts with local governments through direct contact and accelerated support to Bay roundtables.

Year 2008-2010 Outreach Initiatives

DCR commits to the following actions in support of the tributary strategies:

- Continue "Clean Bay" campaign in all major Virginia Bay media markets. As campaign matures, modify to introduce additional messages aimed at improving the Bay and local water quality.
- Work to coordinate with VCE, Master Gardeners "on-the-ground" efforts to reach urban and suburban residents in all Virginia Bay markets.
- Continue support to Bay roundtables.
- Expand direct contact/outreach efforts with public planners and private development community.

V. Estimated Tributary Strategy Costs

The tributary strategies developed by the states involved in the Chesapeake Bay Program (CBP) call for unprecedented levels of effort to reduce and cap the discharge of nutrients and sediments to the Chesapeake Bay and its tributaries. As a result, the costs of implementation of the strategies basin wide are estimated at just under $10 billion.

The estimated cost for the James River Basin strategy is $4.56 billion. Point sources account for $501 million with nonpoint source practices making up the remaining $4.06 billion. Table 5-2 has cost breakdown in major categories. A more detailed breakdown is found in Appendix C.

This section provides an overview and analysis of projected costs and explains why cost projections have changed since the Secretary of Natural Resources released draft strategies for Virginia's tributaries in April 2004.

In recognition of the significant implementation costs, the Chesapeake Executive Council created a Blue Ribbon Financing Panel to recommend ways to pay for the implementation of the strategies. During the panel's first meeting, it requested that the CBP develop a consistent methodology to determine costs across all jurisdictions in order to assess the financial needs for implementation. The CBP contracted with Science Applications International Corporation (SAIC) to conduct a study of how the costs were determined in each state and to see if a common methodology could be utilized so that costs would be comparable from jurisdiction to jurisdiction. Using this methodology, costs would be recalculated for each jurisdiction. This resulted in the Bay Program Blue Ribbon Panel estimates of capital, operation and maintenance (O&M), and technical assistance (TA) costs totaling $30.21 billion, with the Virginia portion of capital, O&M, and TA estimated to be $10.02 billion.

With this analysis in hand, Virginia agencies proposed several modifications to the nonpoint source estimates which resulted in a final cost estimate of $9.99 billion for capital, O&M, and TA.

April 2004 Draft Strategy Costs

The initial cost estimate of $3.2 billion contained in Virginia's draft tributary strategies, released in April 2004 underestimated total costs for several reasons. First, the initial estimates were based on one-time capital installation costs and did not include the costs of operation and maintenance (O&M) of the specified best management practices (BMPs). Second, additional costs were not included for the renewal of annual or short term BMPs. For example, the planting of cover crops on agricultural lands is an annual practice and the costs were only calculated as a one-time cost. Third, the practices proposed in the initial strategies have changed somewhat to order to achieve the nutrient allocations for each river. Finally, the most significant change came from how the costs of urban stormwater BMPs were calculated. For the April drafts, Virginia used data from the Chesapeake Bay Program's "Use Attainability Analysis". These figures were based on the estimated annual cost per household in the jurisdictions in which the practices were installed rather than the actual cost to install the practice. This change alone accounted for the majority of the difference between the April 2004 estimates and those that have been subsequently developed.

The analysis conducted by SAIC for the Blue Ribbon Finance Panel, which totaled $10.02 billion for Virginia, did not include multiple installation costs for short term and annual BMPs needing reinstallation. It also did not estimate technical assistance (TA) and O&M costs consistent with those used by Virginia. A detailed explanation of the differences between the SAIC/CBP analysis and the Virginia estimates can be found in Appendix C.

Virginia's Modified Costs

Within the total cost for implementing the strategies statewide of $9.99 billion, approximately $1.14 billion is needed for point source upgrades, operation and maintenance (costs estimated by DEQ), $7.01 billion is needed for capital costs for nonpoint source BMPs (primarily urban stormwater BMP installation costs); $1.26 billion is needed for technical assistance to install non-urban nonpoint source BMPs; $580 million is needed to operate and maintain the various BMPs installed.

Table 5-1: Summary Virginia Statewide Estimated Costs

Estimated costs in Millions of Dollars	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$740	$74	$45	$859
Total Cost for Urban BMPs	$5,874	$1,118	$528	$7,519
Total Cost for Mixed Open BMPs	$323	$65	$7	$394
Total Costs for Forest BMPs	$2	$0.2	$0	$2
Total Cost for Septic BMPs	$74	$7	$0	$82
Total Costs for Point Source Reductions	$1,099	$0	$42	$1,141
Grand Total				$9,997

Table 5-2: Summary of James Basin Estimated Costs

Estimated costs in Millions of Dollars	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$286	$29	$15	$330
Total Cost for Urban BMPs	$2,741	$522	$228	$3,491
Total Cost for Mixed Open BMPs	$179	$36	$4	$218
Total Costs for Forest BMPs	$1	$0.10	$0	$1
Total Cost for Septic BMPs	$21	$2	$0	$23
Total Costs for Point Source Reductions	$487	$0	$15	$501
Grand Total				$4,564

A discussion of how these costs were developed by source category (or land use) follows. A breakdown of costs by basin, and James River sub-basins, can be found in Appendix C.

Virginia's Modified Nonpoint Source Costs

Agricultural BMP Costs

The overall estimated cost for implementing agricultural BMPs (including capital costs, O & M and technical assistance) is approximately $859 million. The installation costs per agricultural BMP was derived using actual VA Agricultural Incentive Program costs, based on state cost share for various BMPs. The costs for program implementation from 1997 through 2002 were analyzed and an average cost per BMP was calculated, based on the actual installation of that BMP average across the state.

Technical assistance costs for agricultural BMP installation is estimated at 10 percent of the cost of the BMP. These costs are usually incurred by soil and water conservation districts that give technical assistance to farmers.

Operation and maintenance costs were estimated based on the cost incurred by the farmer to maintain the practice and were derived from the SAIC/CBP data.

Urban, Mixed Open, Forest and Septic BMP Costs

Currently, Virginia does not have documented costs for most urban, mixed open and septic BMPs. Because Virginia was lacking consistent information for the cost of urban mixed open and septic BMPs, the state determined that the SAIC/CBP costs would most accurately and consistently represent these costs. For more information about how SAIC/CBP conducted the analysis, and for the analysis results, please visit the Chesapeake Bay Program website at **www.chesapeakebay.net**.

The final estimated cost for urban BMP implementation, statewide, is $7.52 billion. Technical assistance costs were estimated as 20 percent of the cost of BMP installation. The final estimated cost for implementing mixed-open BMPs, statewide, is $394 million.

Operation and maintenance costs were estimated by SAIC/CBP, based on the cost of installing the BMP and the cost to ensure functionality throughout the life of the BMP. The estimated cost for forest harvesting practices is $2.3 million and was estimated by staff with input from the Virginia Department of Forestry. The DOF has consistently been monitoring implementation of this practice.

Implementation of septic pump-outs and connections is expected to cost approximately $82 million. There were no operation and maintenance costs projected for these practices, however technical assistance is estimated to be approximately 10 percent of the practice cost.

While the cost of $8.86 billion is the total estimated cost to implement the nonpoint source pollution portion of all the strategies in Virginia, the distribution of these costs will vary by sector, according to who will pay for BMP installation. The primary distribution of costs considered for this analysis, however, is the amount of implementation that state government will pay versus the amount that will be covered by the private sector (farmers, non-profits, etc.).

State government costs were determined based on the amount of funding that the state currently provides to implement various BMPs or support to program implementation. It was assumed that between five and 10 percent of the all the BMPs would be done on a voluntary basis. That number was removed from the estimated state governmental costs analysis.

In the case of agricultural BMPs the state offers 75 percent cost-share, so the state assumed 75 percent of the cost of agricultural BMPs. The following practices in the strategies are not paid in any portion by the state: erosion and sediment control BMPs, new stormwater management BMPs, forest harvesting BMPs, and septic connections. These practices are part of what is related to ongoing development costs and fulfilling current environmental permits related to that development. The table below illustrates the breakdown between Overall, Development and Permits, State Governmental, and Non-Governmental costs.

Table 5-3: Estimated Nonpoint Source Costs

	Estimated Tributary Strategy NPS Costs (Millions)		
Overall			
	Capital	**TA**	**O&M**
Agriculture	740	74	45
Urban	5,874	1,118	528
Mixed Open	323	65	6.8
Septic	74	7.4	0.0
Forest	2.1	0.2	0.0
Total	**7,013**	**1,265**	**580**
Grand total	**8,858**		
Development and Permits			
	Capital	**TA**	**O&M**
Agriculture	0.0	0.0	0.0
Urban	4,929	929	477
Mixed Open	0.00	0.00	0.0
Septic	29	2.9	0.0
Forest	2.1	0.2	0.0
Total	**4,960**	**932**	**477**
Grand Total	**6,369**		
State Governmental			
	Capital	**TA**	**O&M**
Agriculture	528	52.8	4
Urban	238	48	0.0
Mixed Open	312	62	0.0

Septic	3.9	0.4	0.0
Forest	0.0	0.0	0.0
Total	**1,083**	**163**	**4**
Grand total	**1,250**		

Non-Governmental

	Capital	TA	O&M
Agriculture	212	21	41
Urban	707	141	51
Mixed Open	11	2.1	6.87
Septic	41	4.1	0.0
Forest	0.0	0.0	0.0
Total	**970**	**169**	**99**
Grand total	**1,238**		

Economic Benefits Of The Tributary Strategies

The Commonwealth of Virginia has developed a strategy for meeting the water quality goals of the Chesapeake Bay Agreement. Virginia's tributary strategy includes upgrades to wastewater and industrial treatment plants, increased levels of best management practices (BMPs) for farming, and improved septic systems.

How Will The Strategy Affect The Economy?

Preliminary information suggests that the planned level of pollution controls will cost about $9.9 billion, although lower cost solutions may also emerge as implementation proceeds. These expenditures are not lost in the economy, rather they are an investment providing jobs and incomes in pollution control and agricultural service industries. Implementing the tributary strategy will increase economic strength in the region.
The Chesapeake Bay Program found that expenditures needed to achieve the water quality goals will result in increases in employment, income, and output in Virginia, compared to levels expected without the clean up. These investments will also maintain and hopefully revitalize income and jobs from industries that depend on a clean Bay, such as commercial and recreational fishing, and tourism, that were not included in the study.

How Do Economic Benefits Result from the Strategies?

Purchasing wastewater treatment technologies and BMPs is similar to making other infrastructure investments. Just as a highway project provides economic stimulus for the local economy, cleaning up the Bay will also stimulate Virginia's economy. In cleaning up the Bay, the Commonwealth can expect increases in income and employment in:

- wastewater treatment plant design, construction, operation, and repair,
- agricultural services, such as custom work and landscape design, and
- residential septic system construction, maintenance, and repair.

Increases in these environmental service and product sectors represent new opportunities for Virginia's residents. And, because costs to one sector are revenues and incomes in other sectors, a dollar spent on pollution controls can result in the spending of more than a dollar in the overall economy (a ripple effect). The spending in these sectors will ripple through the economy, benefiting the Commonwealth as a whole.

Appendix A: Revisions to Virginia's Tributary Strategies: Point Sources

Statement of Secretary of Natural Resources, W. Tayloe Murphy, Jr.
August 27, 2004

Following public comment and after further analysis by state agency staff, I am announcing today our proposed revisions to the point source elements of Virginia's Chesapeake Bay tributary strategies. In the near future, I will announce final allocations and implementation plans for the nonpoint source elements of the strategies.
The Commonwealth's nutrient and sediment reduction goals we are trying to reach are ambitious and the proposals I am making today are equally challenging. However, in the end, the results will benefit all Virginians.

Use of Capacity with Stringent Treatment

Our guiding principals for establishing point source allocations at wastewater treatment facilities are as follows:

- achieve the nutrient reductions necessary to restore the Chesapeake Bay and its tidal tributaries in the timeframe proposed in the Chesapeake 2000 agreement;
- provide for the full use of existing design capacity at each of the significant municipal and industrial wastewater treatment plants; and
- apply currently available nutrient reduction technologies at these treatment plants.

The point source strategies contained in these revisions will enable Virginia to manage nutrient loadings in the Chesapeake Bay over the long term. The public review drafts of the strategies based treatment levels to the expected 2010 flows at significant sewage treatment plants and industrial facilities; however, based on comments received and after further analysis by agency staff, it became apparent that for certain facilities to fully utilize their current design capacity, while also maintaining the loadings assigned in the public review drafts, would require nutrient treatment at levels beyond existing limits of technology.

Accordingly, by capping loads based on design flow rather than estimated 2010 flows wastewater treatment plants will be able to fully use their capacity and will have greater flexibility in meeting loading goals. Some facilities, because they are far from reaching their design capacity will have more time to implement process improvements. Other facilities will need to begin the process of upgrading more quickly. This approach will also allow some facilities to engage in nutrient trading or use other cost effective methods to achieve and maintain the cap loads for their facilities and for each river basin.
This approach is consistent with the proposal recently announced by the United States Environmental Protection Agency to implement tributary strategy allocations through discharge permits and to cap those loads over time.

Determining Point Source Allocations

Significant municipal facilities located within Virginia's Chesapeake Bay watershed, except as specified below, will be allocated nutrient loads based on annual average effluent concentrations of 4.0 milligrams per liter total nitrogen and 0.3 milligrams per liter total phosphorus calculated at their design flow.
Significant municipal facilities located in the lower Potomac basin [i.e., the Potomac basin below the fall line] will be allocated nutrient loads based on annual average effluent concentrations of 3.0 milligrams per liter total nitrogen and 0.3 milligrams per liter total phosphorus calculated at their design flow unless an existing permit requires lower effluent concentrations.

As discussed in the Allocations and Water Quality Standards section below, the allocations assigned to the York and James basins are considered "interim" until the adoption of the amendments to the Virginia Water Quality Standards. Therefore, the point source allocations in those basins will remain essentially the same as proposed in the draft strategies published earlier this year. After the standards are adopted and the river basin allocations are established, the final point source allocations will be assigned to the significant dischargers in those basins.
Some plants may be given allocations that vary from this policy in order to account for unusual circumstances.

Additionally, because industrial facilities treat wastewater with different characteristics from municipal wastewater, individual determinations have been made about levels of performance and the resulting allocations for those facilities.

Allocating the "Orphan Load"

A number of comments were received regarding the status of the allocations proposed for the York and James River basins, particularly the additional nitrogen reduction, due to the so-called "orphan load", that was assigned to the James River basin.
For the time being, we will remove assignment of the orphan load reduction from the James River basin and reallocate it following adoption of the water quality standards.

Allocation and Water Quality Standards

When the tributary strategy allocations were adopted by the Chesapeake Bay Program, it was recognized that the allocations would provide the basis for tributary strategies, but they may need to be adjusted to reflect final state water quality standards. It was also recognized that the allocations assigned to Virginia's basins are directly tied to dissolved oxygen conditions in the Bay's mainstem, except for the York and James basins. While we developed strategies for the York and James to meet the assigned allocations, we continue to acknowledge that application of the final water quality standards has the potential of affecting the allocations in these two basins due to unique local water quality conditions. Therefore, we consider the allocations for the York and James basins as "interim" until the new water quality standards for dissolved oxygen, chlorophyll "a" and water clarity are adopted. In June 2004, the State Water Control Board approved for public comment revisions to the Virginia Water Quality Standards that incorporate criteria for dissolved oxygen, chlorophyll "a", and water clarity for the Chesapeake Bay and its tidal tributaries. Once the new water quality standards have been adopted in final form and analysis done to determine necessary nutrient and sediment reductions to meet the new standards, final allocations will be assigned to these two basins.

While we acknowledge that the allocations for the York and James may need to be recalculated, it is also clear that significant nutrient reductions are necessary for the health of these rivers. Therefore, we will continue working to reduce nutrients and sediments in the York and James rivers even before final allocation numbers for each basin are established.

Implementing Point Source Policy

The loadings for wastewater treatment facilities based on the policy above will be proposed in amendments to the Water Quality Management Regulation to be considered by the State Water Control Board on August 31, 2004.

The board will also review a proposed regulation that sets minimum technology based limits for all treatment plants, regardless of size.

Following the requirements of the Administrative Process Act, these proposed regulations will be reviewed by the public during public comments periods and under Virginia law, final action will be responsibility of the board.

Prior to adoption of any final regulations, the Department of Environmental Quality will address nutrient loadings from point sources according to agency guidance issued on July 15, 2004. According to this guidance, each permit issued will include:

1. Monitoring requirements to identify more clearly the amount of nutrients the facilities release;
2. When data is available, caps on the release of nutrients to minimize additional nutrient loading to the Chesapeake Bay and its tributaries;
3. Requirements for a plan to optimize nutrient removal at the existing treatment facilities and development of a Basis of Design report for a range of nutrient removal technologies, including limit of technology, for subsequent design and construction; and,
4. A specific re-opener clause so that DEQ can modify the permits to include more stringent limits before the five-year permit term expires based on regulations adopted by the board.

Following completion of the water quality standards and technology based nutrient limit regulations (projected completion date November 1, 2005), DEQ will issue, re-issue or modify permits in conformance with the provisions of the adopted regulations.

Appendix B: Glossary of Terms, Abbreviations, Acronyms and BMP Definitions

Glossary of Terms

A

Agricultural lands - Those lands used for the planting and harvesting of crops or plant growth of any kind in the open, pasture; horticulture; dairying; floriculture; or raising of poultry and/or livestock.

Algae - Simple rootless plants that grow in bodies of water (e.g. estuaries) at rates in relative proportion to the amounts of nutrients (e.g. nitrogen and phosphorus) available in water.

Algal Bloom- A population burst of phytoplankton that remains within a defined part of the water column.

Aquatic - Living in water.

Atmospheric deposition - When the air pollution hits the earth surface. Air pollution washed out of the sky by rain or snow is called "wet deposition." When air pollution deposits without benefit of rain its called "dry deposition."

B

Baseline - The numeric level of nutrient load at a particular point in time that serves to establish nutrient reduction goals and allowances.

Best Management Practices (BMP) - A land practice or combination of practices that provide the most effective and practicable means of controlling point and nonpoint pollutants at levels compatible with environmental quality goals.

Biological Nutrient Removal (BNR) - Wastewater treatment that enhances phosphorus and nitrogen removal by microbial cells instead of traditional chemical addition systems. Nitrogen is removed through a temperature dependent process in which the ammonia nitrogen present in raw wastewater is converted by bacteria first to nitrate nitrogen and then to nitrogen gas. Phosphorus removal is accomplished by creating environmental conditions that encourage the biomass to accumulate increased quantities of phosphorus, which are then settled and removed in the waste sludge.

Bioretention - Bioretention sites, also called "Rain Gardens," are an innovative method for stormwater management that retains stormwater on site and uses plants and layers of soil, sand, and mulch to reduce the amount of nutrients and other pollutants that enter local waterways.

C

Cap - The total nutrient load that is allowed to be discharged into a given water body. The cap is the baseline minus the amount of load reduction needed to meet the goal. The cap is equal, or greater than, the sum of the allowances.

Cap load - Cap loads are the maximum pollutant load of nutrients and sediments that can be allowed and still meet Chesapeake Bay water quality criteria.

Cap load allocations - Based on each tributary's nutrient and sediment input to the Bay, the total Chesapeake Bay load is apportioned to each tributary and jurisdiction. The cap load allocations show where the nutrient and sediment loads will most effectively be reduced to achieve the restoration goal.

Chesapeake Bay Preservation Act (CBPA) - The Act adopted in 1988 by the Virginia General Assembly that establishes the state's Chesapeake Bay preservation efforts, provides authority for local programs to adopt land use standards to protect and improve water quality and established the Chesapeake Local Assistance Board and Department to oversee and assist local planning efforts. Effective July 1, 2004, the Chesapeake Bay Local Assistance Department was merged into the Virginia Department of Conservation and Recreation.

Chlorophyll a - A pigment contained in plants that is used to turn light energy into food. Chlorophyll also gives plants their green color.

Coastal plain - The level land with generally finer and fertile soils downstream of the piedmont and fall line, where tidal influence is felt in the rivers.

D

Denitrification - The conversion of nitrite and nitrate nitrogen (after nitrification) to inert nitrogen gas. This treatment process requires that little or no oxygen be present in the system and that an organic food source be provided to foster growth of another type of bacteria. The organic food source can be either recycled waste activated sludge or methanol. The resultant nitrogen gas is released to the atmosphere.

Department of Conservation and Recreation (DCR) - A state agency under the Secretariat of Natural Resources that includes Virginia State Parks, Soil and Water Conservation, Natural Heritage and Planning and Recreational Resources, Dam Safety and Floodplain Management. As of July 1, 2004, the department is also responsible for implementation of the Chesapeake Bay Preservation Act as the former Chesapeake Bay Local Assistance Department was merged into DCR. Its purpose is to conserve, protect, enhance, and advocate the wise use of the Commonwealth's unique natural, historic, recreational, scenic, and cultural resources.

Department of Environmental Quality (DEQ) - A state agency under the Secretariat of Natural Resources formed in 1994 by the General Assembly and includes Air, Water, and Waste Divisions.

Design Flow – The discharge flow authorized by the VPDES permit and/or the capacity under which the wastewater treatment processes will most likely be operating (9VAC25-790-50) in the year 2010.

Dissolved Oxygen - Microscopic bubbles of oxygen that are mixed in the water and occur between water molecules. Oxygen becomes dissolved into water through diffusion from the atmosphere or surface agitation (i.e., waves). Dissolved oxygen is necessary for healthy lakes, rivers, and estuaries. Most aquatic plants and animals need oxygen to survive. Fish will drown in water when the dissolved oxygen levels get too low. The absence of dissolved oxygen in water is a sign of possible pollution.

EF

Easement - A limited right to make use of a property owned by another, for example, a right of way across the property.

Ecosystem - All the organisms in a particular region and the environment in which they live. The elements of an ecosystem interact with each other in some way, and so depend on each other either directly or indirectly.

Effluent - The discharge to a body of water from a defined source, generally consisting of a mixture of waste and water from industrial or municipal facilities.

Erosion - The disruption and movement of soil particles by wind, water, or ice, either occurring naturally or as a result of land use.

Estuary - A semi enclosed body of water that has a free connection with the open sea and within which seawater (from the ocean) is diluted measurably with freshwater that is derived from land drainage (i.e. the Chesapeake Bay). Brackish estuarine waters are decreasingly salty in the upstream direction and vice versa. The ocean tides are projected upstream to the fall lines.

Eutrophication - The fertilization of surface waters by nutrients that were previously scarce. Eutrophication through nutrient and sediment inflow is a natural aging process by which warm shallow lakes evolve to dry land. Human activities are greatly accelerating the process. The most visible consequence is the proliferation of algae. The increased growth of algae and aquatic weeds can degrade water quality.

Fall Line - A line joining the waterfalls on several rivers that marks the point where each river descends from the upland to the lowland and marks the limit of navigability of each river.

Floodplain – Level land that may be submerged by floodwaters.

GHI

Habitat - The place and conditions in which an organism lives.

Hydrology - The scientific study of the properties, distribution, and effects of water on the earth's surface, in the soil and underlying rocks, and in the atmosphere.

Integrated pest management (IPM) - A sustainable pest management approach which combines the use of biological, cultural, physical, and chemical tactics in a way that minimizes economic, health and environmental risks. One aspect of IPM involves regular monitoring (scouting) to determine if and when treatments are needed based on biological and/or aesthetic thresholds to keep pest numbers low enough to prevent intolerable damage or annoyance (economic threshold).

Impaired waters list (or impairments) - Impaired waters are waters that do not meet State water quality standards. Under the Clean Water Act, section 303(d), States, territories and authorized tribes are required to develop lists of impaired waters. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop TMDLs for these waters.

Impervious surface - A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. Impervious surfaces include, but are not limited to: roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

Intertidal - The area of shore located between high and low tides.

JKL

Karst – a landscape resulting to a significant degree from the dissolution of bedrock. Karst landscapes are most commonly underlain by limestone and dolostone bedrock and feature include sinkholes, sinking and losing streams, caves, and large flow springs. They are characterized by underground drainage networks that commonly bypass surface drainage divides.

Land cover - Anything that exists on, and is visible from above, the earth's surface. Examples include vegetation, exposed or barren land, water, snow, and ice.

Land use - The way land is developed and used in terms of the kinds of anthropogenic activities that occur (e.g. agriculture, residential areas, industrial areas).

Low impact development (LID) - A comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-development hydrologic regime of urban and developing watersheds. This design approach incorporates strategic planning with micro-management techniques to achieve superior environmental protection, while allowing for development or infrastructure rehabilitation to occur.

MN

Marine - Refers to the ocean.

Native Species - Species which have lived in a particular region or area for an extended period of time.

Nitrification - The process to which bacterial populations under aerobic conditions, gradually oxidize ammonium to nitrate with the intermediate formation of nitrite. Biological nitrification is a key step in nitrogen removal in wastewater treatment systems.

Nitrogen - (N) An essential nutrient primarily used by plants and animals to synthesize protein. Nitrogen enters the ecosystem in several chemical forms and also occurs in other dissolved or particulate forms, such as tissues of living and dead organisms. It will remain readily in a dissolved form and therefore anthropogenic inputs of this nutrient often occur as a result of excess nutrient application.

Nonpoint Source - A diffuse source of pollution that cannot be attributed to a clearly identifiable, specific physical location or a defined discharge channel. This includes the nutrients that runoff the ground from any land use - croplands, feedlots, lawns, parking lots, streets, forests, etc. - and enter waterways. It also includes nutrients that enter through air pollution, through the groundwater, or from septic systems.

Nutrients - Compounds of nitrogen and phosphorus dissolved in water which are essential to both plants and animals. Too much nitrogen and phosphorus act as pollutants and can lead to unwanted consequences - primarily algae blooms that cloud the water and rob it of oxygen critical to most forms of aquatic life. Sewage treatment plants, industries, vehicle exhaust, acid rain, and runoff from agricultural, residential and urban areas are sources of nutrients entering the Bay.

Nutrient removal technology (NRT) - Also known as biological nutrient removal (BNR). The process whereby nutrients are removed from wastewater in addition to the organic content.

Nutrient Trading - The transfer of nutrient reduction credits, specifically those for nitrogen and phosphorus.

OPQ

Outfall – The outlet of a river, stormwater retention structure, drain or other source of water. Also the water leaving a structure.

Pervious - porous, able to be penetrated by water.

Pesticides - A general term used to describe chemical substances that are used to destroy or control insect or plant pests. Many of these substances are manufactured and do not occur naturally in the environment. Others are natural toxics that are extracted from plants and animals.

Phosphorus - (P) An essential nutrient for the growth of living organisms, it is a key nutrient in the Bay's ecosystem, phosphorus occurs in dissolved organic and inorganic forms, often attached to particles of sediment. This nutrient is a vital component in the process of converting sunlight into usable energy forms for the production of food and fiber. It is also essential to cellular growth and reproduction for organisms such as phytoplankton and bacteria. Phosphates, the inorganic form is preferred, but organisms will use other forms of phosphorus when phosphates are unavailable. It will readily absorb to sediments and therefore anthropogenic inputs of this nutrient often occur through sediment runoff from agricultural activities or stream bank erosion.

Phytoplankton - Plankton are usually very small organisms that cannot move independently of water currents. Phytoplanktons are any plankton that is capable of making food via photosynthesis.

Piedmont - Uplands or hill country above the "fall line" of coastal rivers where rapids or cataracts tumble down to the level topography where tidal influence begins.

Planning District Commission – A regional planning agency established by the Virginia Development Act.

Point Source - A source of pollution that can be attributed to a specific physical location; an identifiable, end of pipe "point". The vast majority of point source discharges for nutrients are from wastewater treatment plants, although some come from industries.

Pollutants - Generally, any substance introduced into the environment that adversely affects the usefulness of a resource or the health of humans, animals, or ecosystems.

RS

Riparian area - Riparian refers to the area of land adjacent to a body of water, stream, river, marsh, or shoreline. Riparian areas form the transition between the aquatic and the terrestrial environment.

Riparian Buffers - An area of vegetation, usually a combination of trees, shrubs and other vegetation, that is adjacent to a body of water and is managed to maintain the integrity of stream channels and shorelines, to reduce the impact of upland sources of pollution by trapping, filtering, and converting sediments, nutrients, and other chemicals, and to supply food, cover, and thermal protection to fish and other wildlife.

Salinity regime - A portion of an estuary distinguished by the amount of tidal influence and salinity of the water. The major salinity regimes are, from least saline to most saline:

- **Tidal Fresh** – Describes waters with salinity between 0 and 0.5 parts per thousand (ppt). These areas are at the extreme reach of tidal influence.
- **Oligohaline** – Describes waters with salinity between 0.5 and 5 ppt. These areas are0 typically in the upper portion of an estuary.
- **Mesohaline** – Describes waters with salinity between 5 and 18 ppt. These areas are typically in the middle portion of an estuary.
- **Polyhaline** – Describes waters with salinity between 18 and 30 ppt. These areas are typically in the lower portion of an estuary, where the ocean and estuary meet.
- **Sediment -** matter that settles and accumulates on the bottom of a body of water or waterway.

Sedimentation - Deposition of soil that has been transported from its site or origin by water, ice, wind, gravity or other natural means as a product of erosion.

Significant Discharger -- According to DEQ the following criteria would qualify as a significant point source discharger: a municipal plant anywhere in the Chesapeake Bay watershed with a design capacity of 0.5 MGD or greater; a municipal plant east of the fall line (direct discharge into tidal waters) with a design capacity of 0.1 MGD or greater; an industrial (or institutional) plant anywhere in the Chesapeake Bay watershed with an annual TN and/or TP load equal to, or greater than, the annual load from a 0.5 MGD municipal plant. The 'equivalent' loads are: TN = 28,460 lbs/yr; TP = 3,800 lbs/yr.
A planned (new) or expanding municipal plant, expected to be operating by 2010 with a permitted design of 0.5 MGD or greater. A municipal plant discharging 0.5 MGD or more (even if the design capacity is currently less than 0.5 MGD).

Siltation - The process by which sedimentary material, or silt, is suspended and deposited in a body of water.

Soil and Water Conservation District (SWCD) - A political subdivision of state government governed by locally elected volunteers who set priorities for identifying and developing programs to improve water quality and reduce erosion.

Stakeholders - A person or persons with an interest or those directly affected by the issue at hand.

Submerged Aquatic Vegetation (SAV) - Rooted vegetation that grows under water in shallow zones where light penetrates, may be permanently underwater or exposed at low tide. They provide food for waterfowl, sediment stabilization and shoreline erosion control, and serve as critical habitat for both juvenile and adult forms of many aquatic animals. Also known as "Bay grasses".

Suspended sediments - Particles of soil, sediment, living material, or detritus suspended in the water column.

TUV

Topography - The configuration of a surface including its relief and the position of its natural and man-made features.

Total Maximum Daily Load (TMDL) - A TMDL is the maximum amount of a pollutant load that a water body can assimilate without causing violations of water quality standards, and allocates the loading between contributing point sources and non-point source categories. Under the Clean Water Act, each state is to determine, write, and implement TMDLs for all waters not meeting water quality standards.

Tributary - A body of water flowing into a larger body of water. For example, the James River is a tributary of the Chesapeake Bay.

Tributary strategies - Tributary strategies are detailed implementation plans to achieve the nutrient and sediment cap load allocations and are developed in cooperation with local watershed stakeholders.

Turbidity - The decreased clarity in a body of water due to the suspension of silt or sedimentary material.

Urban area - Any area which is urban or urbanizing in character, including semi-urban areas and surrounding areas which form am economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth.

U.S. Environmental Protection Agency (USEPA) - A federal agency responsible for administering certain federal environmental regulations. The EPA administers the Clean Water Act and Clean Air Act and is the agency responsible for overseeing the Section 404 wetlands permits program, establishing emission standards for air pollutants and effluent standards for water pollution. EPA is the primary staffing agency for the interstate Chesapeake Bay Program.

W

Wastewater - Water that has been used in homes, industries, and businesses that is not for reuse unless treated by a wastewater facility.

Water clarity - Measurement of light available in the water column. The greater the water clarity, the further you can see through the water. Reduced water clarity can be caused by increased phytoplankton or suspended sediments.

Water quality - The condition of water as is pertains to its ability to sustain life, both aquatic and otherwise and in its use for recreational purposes such as swimming and boating. Water quality can be measured by the amount of pollutants contained in it.

Efforts to reduce or prevent poor water quality are focused on improving its ability to sustain life and improve its recreational use.

Water quality criteria - Criteria are part of a water quality standard, and may be numeric or narrative. Criteria represent a quality of water that supports a particular designated use. When criteria are met, water quality will generally protect the use.

Water quality standards - A provision of State or Federal law consisting of a designated use or uses for a water body and the quantifiable criteria protective of the use(s). Standards may be annual or seasonal, depending on the designated use.

Watershed - A region bounded at the periphery by physical barriers that cause water to flow and ultimately drain to a particular body of water at a lower elevation.

Watershed management - An effort to coordinate and integrate the natural resource based programs, tools, resources, and needs of multiple stakeholder groups within a watershed to conserve, maintain, protect and restore habitat and water quality of the watershed.

Watershed Management Plan -A detailed vision and strategy, usually at the small watershed level, to achieve watershed management. Many times initiated by local governments in conjunction with other local planning efforts. The planning effort identifies specific actions to restore habitat and water quality, identify lands for conservation and development, identify and reduce nonpoint sources of pollution and prioritize pollution reduction actions.

Watershed Model Segment - Any predetermined spatial domain. For example, under Phase 4.3 of the watershed model, the watershed was divided into separate basins and regions of similar characteristics or features of the river reach - this was termed watershed model segment. This resulted in some 94 major model segments averaging 194,000 hectares. Phase 5 segmentation will be divided by county in the entire watershed. Therefore, each model segment will equal a county. According to the Chesapeake Bay Program: “Segmentation is the compartmentalizing of the estuary into subunits based on selected criteria. For diagnosing anthropogenic impacts, segmentation is a way to group regions having similar natural characteristics, so that differences in water quality and biological communities among similar segments can be identified and their source elucidated. For management purposes, segmentation is a way to group similar regions to define a range of water quality and resource objectives, target specific actions and monitor response.”

Wetland - Low areas such as swamps, tidal flats, and marshes, which retain moisture.

XYZ

ABBREVIATIONS

BMP	Best Management Practices
BNR	Biological Nutrient Removal
C2K	Chesapeake 2000 Agreement
CBP	Chesapeake Bay Program
CBPA	Chesapeake Bay Preservation Act
CREP	Conservation Reserve Enhancement Program
CWA	Clean Water Act
DCBLA	Division of Chesapeake Bay Local Assistance
DSWC	Division of Soil and Water Conservation
DCR	Department of Conservation and Recreation
DEQ	Department of Environmental Quality
E&S/ESC	Erosion and Sediment Control
EQIP	Environmental Quality Improvement Fund
LOT	Limit of Technology
LID	Low Impact Development
MS4	Municipal Separate Storm Sewer System
NOIRA	Notice of Intended Regulatory Action
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Source
NRT	Nutrient Reduction Technology
PDC	Planning District Commission
PS	Point Source
SAV	Submerged Aquatic Vegetation
SWCB	State Water Control Board
SWCD	Soil and Water Conservation District
SWM	Stormwater Management
TMDL	Total Maximum Daily Loads
TN	Total Nitrogen
TP	Total Phosphorus
USEPA	U.S. Environmental Protection Agency
VPDES	Virginia Pollutant Discharge Elimination System
WPM	Watershed Management Plan
WSM	Watershed Model
WQ	Water Quality
VSWCB	Virginia Soil and Water Conservation Board

BMP Definitions

Animal Waste Management System - A planned system designed to manage liquid and solid waste from areas where livestock and poultry are concentrated. This practice is designed to provide facilities for the storage and handling of livestock and poultry waste and the control of surface runoff water to permit the recycling of animal waste onto the land in a way that will abate pollution that would otherwise result from existing livestock or poultry operations. All facilities must have a written operation and management plan to be maintained for ten years, a nutrient management plan to be implemented and maintained for the life of the practice, and a manure test for nutrient analysis once during the first twelve months of operation. Practices include animal waste storage facilities, such as dry stacking, aerobic or anaerobic lagoons, liquid manure tanks, holding ponds, collection basins, settling basins, and similar facilities as well as diversions, channels, waterways, designed filter strips, outlet structures piping, land shaping, and similar measures needed as part of a system on the farm to manage animal wastes.

Barnyard Runoff Control - Prevents those areas exposed to heavy livestock traffic from experiencing excessive manure and soil losses due to the destruction of ground cover. The intent of this practice is to prevent manure and sediment runoff from entering water courses and to capture a portion of the manure as a resource for other uses such as crop fertilizer. This is accomplished by dividing the area into lots. The cattle are rotated from lot to lot as necessary to maintain a vegetative cover. One lot is designated as a sacrifice area for use in periods of wet weather. A minimum of three grasses loafing paddocks are required.

Cover Crops - Reduces the erosion and the leaching of nutrients to groundwater by maintaining a vegetative cover on cropland. A good stand and good growth of winter cover must be obtained in sufficient time to protect the area in the fall and winter. The cover crop must be killed by using mechanical or chemical means or by grazing no earlier than March 15 and no later than May 1. The cover crop residue may be left on the field for conservation purposes; or the cover crop or its residue may be tilled under. Harvesting for hay, haylage, silage, grain, or seed is not permitted. Pasturing consistent with sound agronomic management is permitted as long as a 60 percent cover is maintained through March 14.

Conservation Plans - Comprehensive natural resource management plans, with a focus on the use of erosion and sediment control practices to reduce sediment loss from cropland. Conservation plans address all soil, water, air, plant and animal resource concerns identified on a planning unit to the sustainable level.

Conservation Tillage - Involves planting and growing crops with a minimal disturbance of the surface soil using a non-inversion plowing technique and maintaining a 30 percent minimum crop residue cover on the soil surface.

Dry Detention Ponds and Hydrodynamic Structures - Practices designed to moderate influence on peak flows and drain completely between storm events. Includes dry ponds and underground dry detention facilities.

Dry Extended Detention Ponds - Dry extended detention ponds (a.k.a. dry ponds, extended detention basins, detention ponds, extended detention ponds) are basins whose outlets are designed to detain the stormwater runoff from a water quality "storm" for some minimum duration (e.g., 24 hours) which allow sediment particles and associated pollutants to settle out. Unlike wet ponds, dry extended detention ponds do not have a permanent pool. However, dry extended detention ponds are often designed with small pools at the inlet and outlet of the pond, and can also be used to provide flood control by including additional detention storage above the extended detention level. An enhanced extended detention basin has a higher efficiency than an extended detention basin because it incorporates a shallow marsh in the bottom. The shallow marsh provides additional pollutant removal and helps to reduce the resuspension of settled pollutants by trapping them.

Erosion and Sediment Control - Erosion and sediment controls include practices such as sediment ponds and silt fencing. They are applied to construction sites and protect off-site areas from sediment runoff and nutrient pollution.

Filtering Practices - Practices that capture and temporarily store the water quality volume and pass it through a filter bed of sand, organic matter, soil or other media are considered to be filtering practices. Filtered runoff may be collected and returned to the conveyance system. Includes vegetated open channels that are explicitly designed to capture and treat the full water quality volume within dry or wet cells formed by checkdams or other means.

Forest Harvesting Practices - Focus on minimizing the environmental impacts from forest harvesting operations, such as road building, and harvesting and thinning operations. These BMPs reduce soil erosion and the loss nutrients that adhere to eroding soil particles.

Forested Buffers - A protection method along streams to reduce erosion, sedimentation, and the pollution of water from agricultural nonpoint sources. This practice involves a change in land use that establishes a forest buffer that will benefit wildlife and aquatic environments. It is designed for cropland and pastureland that has been in production two out of the past five years. (Forest land being replanted following timber harvest is not included.) The minimum width of the buffer must be 35 feet from the edge of the stream bank, up to one-third of the floodplain, not to exceed 100 feet.

Grassed Buffers - Vegetative buffers adjacent to cropland or animal holding areas that are located along the banks of water courses to filter runoff, anchor soil particles and protect banks against scour and erosion. Filters must be a minimum of 25 feet in width, maximum 100 feet in width except for wider segments of a contoured filter where the contour is typically 25 feet to 100 feet wide. Filters must be located within 100-feet of a live or intermittent waterway, open sinkhole, abandoned well, or Chesapeake Bay Preservation Act Resource Protection Area as defined by local ordinance. They shall be designed and installed to filter sheet flow, rather than concentrated flow.

Impervious Surface Reduction - Reducing the total area impervious area and therefore encouraging stormwater infiltration by maintaining areas such as forests, grasslands and meadows that encourage stormwater infiltration. Includes disconnecting the rooftop drainage pipe and allowing it to infiltrate into the pervious surface thereby reducing the impervious area and directing sheet flow from impervious surfaces, i.e. driveways and sidewalks, to pervious surfaces instead of stormwater drains. Other measures include rain barrels and green roofs that reduce the percentage of impervious surfaces in urban areas.

Infiltration Practices - Practices that capture and temporarily store the water quality volume before allowing it to infiltrate into the soil. Includes excavated trenches and basins that have been back filled with stone to form a subsurface basin and porous pavement that allows storm water to infiltrate into underlying soils promoting pollutant treatment and recharge.

Nutrient Management (Urban and Mixed Open) - Applied lawn, landscape, and other turf activities in urban and suburban areas that have the potential to produce nutrient, especially nitrogen and phosphorus, runoff. Practices include:

- Application of phosphorus according to soil tests and recommendations
- Application of nitrogen to grasses when they are actively growing
- Use of slowly available nitrogen sources; or split and reduced rate applications of readily available sources
- Recycling of grass clippings back to the lawn
- Application of turn BMPs such as proper mowing height for variety, appropriate variety selection when overseeding, core aeration as needed, and avoiding fertilizer application onto hard surfaces and near water bodies.

Nutrient Management Plan - Development of site-specific nutrient management plans with cooperating farmers; components include assisting farmers with manure testing for nutrient levels, calibrating nutrient application equipment, and coordinating soil nitrate testing in agricultural crop fields. Plans also account for crop yields, existing nutrient levels in the soil, application of additional nutrients to maintain optimum soil levels of any particular nutrient, farming practices, and impacts to surface and groundwater.

Retirement of Highly Erodible Land - Land retirement of highly erodible or other sensitive lands by taking agricultural land out of crop production and/or grazing and converting it by planting with a permanent vegetative cover such as grasses, shrubs, and/or trees. Existing cover must be less than 60 percent before conversion.

Roadway Systems - Reducing the total area of impervious cover, thereby reducing the pollutant and sediment load in a given area. Sheet flow is water flowing in a thin layer of the ground surface. Filter strips are a strip of permanent vegetation above ponds, diversions and other structures to retard the flow of runoff, causing deposition of transported material, thereby reducing sedimentation.

Stream Protection with Fencing - Provides protection by fencing along streams to reduce erosion, sedimentation, and the pollution of water from agricultural nonpoint sources. The fencing must be permanent to protect eroding banks from damage by domestic livestock. When no other water source is feasible or exists, a controlled hardened access may be used to provide livestock access to the water. (The installation of livestock crossings and controlled hardened access is limited to small streams.) The fence must be placed a minimum of 20 feet away from the stream, except as designated in areas immediately adjacent to livestock crossings and controlled hardened accesses. Adequate natural or planted vegetation between the fence and stream must exist to serve as an effective filter strip to improve water quality. Both sides of the stream must be fenced, or livestock must be restricted from both sides.

Stream Protection without Fencing - Structural practices that provide an alternative water source for livestock to discourage animal access to streams, which reduces erosion and livestock waste reaching the stream.

Stream Restoration in Urban Areas - A BMP used to restore the natural ecosystem by restoring the stream hydrology and natural landscape. Return of an ecosystem to a close approximation of its condition prior to disturbance. Establishing predisturbance aquatic functions and related physical, chemical and biological characteristics in a stream system.

Street Sweeping and Catch Basin Inlets - A variety of BMPs that provide stormwater treatment for trash, litter, coarse sediment, oil and other debris before proceeding through the stormwater system.

Stormwater Management System - Stormwater management systems include extended detention areas (dry basins or ponds), retention ponds (wet), stormwater wetlands, pond-wetland systems, stormwater retrofits, stormwater conversions (conversion from dry to retention) and sand filters. Nutrient reduction is not the only benefit of stormwater management systems; they also reduce sediment transport and control peak runoff flows.

Tree Planting - Includes any tree plantings on any site except those along rivers and streams. (Plantings along rivers and streams are considered forested buffers and are treated differently by the Model.) The definition of tree planting does not include reforestation. Reforestation replaces trees removed during timber harvest and does not result in an additional nutrient reduction or an increase in forest acreage.

Wetland Restoration - Activities that restore land to the hydraulic condition that existed prior to drainage. Objective is to improve water quality and enhance wildlife habitat.

Wet Ponds and Wetlands- Practices that have a combination of a permanent pool, extended detention or shallow wetland equivalent to the entire water quality storage volume. Practices that include significant shallow wetland areas to treat urban storm water but often may also incorporate small permanent pools and/or extended detention storage.

Appendix C: Explanation of Cost Estimates

The following procedure was utilized in the development of the estimated nonpoint source costs associated with full implementation of the tributary strategies as completed in the fall of 2004 (TS4).

Using the MS Excel ® spreadsheets developed by SAIC for CBPO as a base DCR staff developed identical sheets for each basin (Shenandoah, Potomac, Shenandoah/Potomac, Rappahannock, York, Eastern Shore, Upper James, Middle James, Lower James, and the overall James). Also developed was a summary sheet that was linked to the individual basin sheets.

The Overall cost estimates were then determined by inserting the final computer model input deck units of Best Management Practices (BMP) into the corresponding cell for each BMP. Certain BMPs (conservation tillage, cover crops, poultry litter transfer) are installed annually. Therefore, the units (acres or tons of litter) of these BMPS from the strategies were multiplied by five to account for practice renewal for each year 2005 till 2010. Additionally, nutrient management plan implementation and yield reserve commonly called enhanced nutrient management were multiplied by two since these plans are good for up to three years. This would account for plan revisions that would be required between 2005 and 2010.

SAIC/CBPO had applied the estimated costs of erosion and sediment control (ESC) as solely operation and maintenance (O&M). DCR staff disagreed with this concept since the practices do not appear without someone paying for the installation. Therefore, the original $2,500 per acre estimated costs applied as O&M was split into capital costs of $2,000 per acre and $500 O&M costs. Additionally, a 10 percent technical assistance cost was applied to the capital costs for each unit of this BMP.

SAIC/CBPO had estimated forest harvesting practices (FHP) at $84 per acre treated and applied this as solely an O&M cost. DCR staff consulted with Virginia DOF and DOF could not determine how the $84 figure was derived but instead supported the original Virginia estimated cost of $21 per acre treated. Nor could DOF support the concept that these costs were O&M since little if any maintenance is done on these practices once installed. Therefore, the cost estimate was moved to the capital cost category and a 10 percent TA cost was also applied to this capital expense.

SAIC/CBPO had applied Conservation Reserve Enhancement Program land rental payments to every acre of forested and grassed riparian buffers as well as wetland restoration on agricultural lands. This is not realistic, as this program will accomplish a very small percentage of the overall implementation goals in the strategies. Therefore, the rental payments estimated by SAIC/CBPO were eliminated.

SAIC/CBPO had applied the associated costs for conservations tillage ($3 per acre) and cover crops ($19 per acre) as incentive payments to be consistent with other jurisdictions. Virginia applied these costs as capital costs in the draft strategies (April 2004) and has applied these costs as capital in the final revisions. Therefore, there are no incentive costs in the Virginia cost analysis.

SAIC/CBPO had applied a 20 percent TA cost across the board for all practices. Virginia had a variable scale on technical assistance in the draft strategies (released in April 2004) related to the level of existing infrastructure. This variable scale was continued since Virginia has Soil and Water Conservation Districts, and most localities have ESC inspectors, and DOF inspects foresting operations, and VDH permits septic systems and pump-out contractors. A 10 percent TA rate was applied to agricultural, ESC, FHP, septic practices. All remaining urban and mixed open practices received a 20 percent TA rate.

The DEQ estimated capital costs for point sources was inserted into the SAIC/CBPO spreadsheet and it generated an O&M estimate by multiplying the capital cost estimate by three percent. Since DEQ had developed estimates for O&M on a facility-by-facility basis their O&M estimated costs were used in the overall estimated costs of the strategies and are not reflected in the detail cost tables in the appendix.

For State Government costs all ESC, FHP, septic connection units were set at zero units. All practices had some percentage five percent to 10 percent of the units eliminated as being done voluntarily. Recent and New storm water practices were eliminated, as were 90 percent of the old. The 10 percent that remained was priced out at 50 percent of the SAIC/CBPO costs. 90 percent of the remaining (after voluntary) septic pump-outs were eliminated and the 10 percent remaining was priced at 50 percent. All agricultural practices had their costs reduced to 75 percent since this is the level that cost share would cover. All associated O&M costs with these BMPs was eliminated and placed in the non-governmental cost estimates since the state does not pay O&M cost on NPS BMPs.

The development and permit estimated costs were based on the BMP units of ESC, FHP, septic connections, and recent and new as well as the 90 percent of the old SWM BMPs (those BMPs eliminated as part of the State governmental cost estimates) as these practices are installed as part of ongoing development or forest harvesting and are generally required under permits issued prior to development or logging.

The non-governmental costs are simply the overall cost minus the development and permits estimated costs and the State governmental estimated costs and reflects the remaining estimated costs not incurred by developers, foresters, and the state government.

Table C-1: Total Estimated Costs

Virginia Statewide Estimated Cost Summary

Agricultural BMPs	Cost Units	Capital $/Unit	Capital Costs	Tech Assistance	O & M	Total Cost
Conservation-Tillage	$/Acre	$0	$6,894,270	$689,427	$0	$7,583,697
Continuous No-Till	$/Acre	$100	$4,168,600	$416,860	$0	$4,585,460
Forest Buffers	$/Acre	$545	$104,144,595	$10,414,460	$3,095,674	$117,654,729
Wetland Restoration	$/Acre	$889	$79,067,660	$7,906,766	$3,301,453	$90,275,879
Land Retirement	$/Acre	$928	$0	$0	$0	$0
Grass Buffers	$/Acre	$175	$19,971,350	$1,997,135	$0	$21,968,485
Tree Planting	$/Acre	$1,284	$262,263,420	$26,226,342	$3,308,931	$291,798,693
Nutrient Management Plans	$/Acre	$7	$14,134,344	$1,413,434	$0	$15,547,778
Enhanced Nutrient Management	$/Acre	$7	$145,740	$14,574	$0	$160,314
20% Poultry Litter Transport	$/Dry Ton/Yr	$0	$0	$0	$7,591,320	$7,591,320
Conservation Plans	$/Acre	$7	$7,565,621	$756,562	$5,512,095	$13,834,278
Cover Crops (Early-Planting)	$/Acre	$0	$39,261,695	$3,926,170	$0	$43,187,865
Off-Stream Watering w/ Fencing	$/Acre	$284	$146,029,392	$14,602,939	$14,973,155	$175,605,486
Off-Stream Watering w/o Fencing	$/Acre	$152	$43,335,960	$4,333,596	$5,987,205	$53,656,761
Off-Stream Watering w/ Fencing & RG	$/Acre	$186	$598,548	$59,855	$118,036	$776,439
Stream Stabilization	$/LinFt	$12	$1,461,000	$146,100	$0	$1,607,100
Animal Waste Management	$/Acre	$32,278	$11,006,798	$1,100,680	$1,228,227	$13,335,705
Total Cost for Agricultural BMPs			**$740,048,993**	**$74,004,899**	**$45,116,097**	**$859,169,989**
Urban BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Wet Ponds & Wetlands	$/Acre	$3,363	$782,423,717	$156,484,743	$39,121,186	$978,029,646
Urban Infiltration Practices	$/Acre	$5,285	$1,260,368,024	$252,073,605	$126,036,802	$1,638,478,432
Urban Filtering Practices	$/Acre	$12,719	$3,033,389,707	$606,677,941	$182,003,382	$3,822,071,030
Urban Stream Rest	$/LinFt	$240	$57,446,672	$11,489,334	$0	$68,936,007
Urban Forest Buffers	$/Acre	$1,284	$71,588,136	$14,317,627	$903,215	$86,808,978
Urban Tree Planting	$/Acre	$1,284	$75,663,552	$15,132,710	$954,634	$91,750,896
Urban Nutrient Management	$/Acre	$15	$10,130,010	$2,026,002	$0	$12,156,012
Erosion & Sediment Control	$/Acre	$2,000	$570,848,000	$57,084,800	$179,120,000	$807,052,800
Non-Structural Shoreline Erosion Control	$/LinFt	$45	$6,997,500	$1,399,500	n/a	$8,397,000
Structural Shoreline Erosion Control	$/LinFt	$300	$4,665,000	$933,000	n/a	$5,598,000
Total Cost for Urban BMPs			**$5,873,520,318**	**$1,117,619,264**	**$528,139,219**	**$7,519,278,800**
Mixed Open BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Wetland Restoration	$/Acre	$889	$73,210,928.00	$14,642,186	$3,056,906	$90,910,020
Tree Planting	$/Acre	$1,284	$148,784,784	$29,756,957	$1,877,191	$180,418,932
Mixed Open Nutrient Management	$/Acre	$15	$29,122,050	$5,824,410	$0	$34,946,460
Forest Buffers	$/Acre	$545	$63,151,875.00	$12,630,375	$1,877,175	$77,659,425
Non-Structural Shoreline Erosion Control	$/LinFt	$45	$5,062,500	$1,012,500	n/a	$6,075,000
Structural Shoreline Erosion Control	$/LinFt	$300	$3,375,000.00	$675,000	n/a	$4,050,000
Total Cost for Mixed Open BMPs			**$322,707,137**	**$64,541,427**	**$6,811,272**	**$394,059,837**

Forest BMPs	Cost Units	Capital $/Unit	Capital Costs	Tech Assistance	O & M	Total Cost
Forest Harvesting Practices	$/Acre	$21	$2,113,944	$211,394	$0	$2,325,338
Total Costs for Forest BMPs			**$2,113,944**	**$211,394**	**$0**	**$2,325,338**
Septic BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Septic Pumping	$/System	$200	45,165,800	$4,516,580	$0	$49,682,380
Septic Connections	$/System	$1,500	29,236,500	$2,923,650	$0	$32,160,150
Total Cost for Septic BMPs			**$74,402,300**	**$7,440,230**	**$0**	**$81,842,530**

NPS Current Requirements/Permit Costs (by Source Category)

		Development & Permits		
	Capital Costs	**Tech Assistance**	**O& M**	**Total**
Agriculture	$0	$0	$0	$0
Urban	$4,928,547,346	$928,624,669	$477,185,550	$6,334,357,565
Mixed Open	$0	$0	$0	$0
Septic	$29,236,500	$2,923,650	$0	$32,160,150
Forest	$2,113,944	$211,394	$0	$2,325,338
Total	**$4,959,897,790**	**$931,759,713**	**$477,185,550**	**$6,368,843,053**

NPS Governmental Costs (by Source Category)

		State Governmental		
	Capital Costs	**Tech Assistance**	**O& M**	**Total Gov't.**
Agriculture	$528,358,577	$52,835,858	$0	$581,194,435
Urban	$238,342,543	$47,668,509	$0	$286,011,052
Mixed Open	$312,109,911	$62,421,982	$0	$374,531,893
Septic	$3,858,100	$385,810	$0	$4,243,910
Forest	$0	$0	$0	$0
Total	**$1,082,669,131**	**$163,312,159**	**$0**	**$1,245,981,290**

NPS Non-Governmental Costs (by Source Category)

		Non-Governmental		
	Capital Costs	**Tech Assistance**	**O& M**	**Total Gov't.**
Agriculture	$211,690,417	$21,169,042	$45,116,097	$277,975,556
Urban	$706,630,428	$141,326,086	$50,953,669	$898,910,183
Mixed Open	$10,597,226	$2,119,445	$6,811,273	$19,527,944
Septic	$41,307,700	$4,130,770	$0	$45,438,470
Forest	$0	$0	$0	$0
Total	**$970,225,771**	**$168,745,343**	**$102,881,039**	**$1,241,852,153**
Point Source Reductions	**Capital Costs**	**Tech Assistance**	**O& M**	**Total**
Total*	**$1,098,734,036**	**$0**	**$32,962,021**	**$1,131,696,057**
Total State Gov't	**$507,072,856**	**$0**	**$0**	**$507,072,856**
Total Non-Gov't	**$591,661,180**	**$0**	**$32,962,021**	**$624,623,201**

Basin Total:	**$9,988,372,552**

***O&M cost displayed here were estimated using the SAIC/CBP cost method.**
DEQ has estimated these costs for each facility and overall cost reflect the DEQ estimates.

Table C-2: Total Estimated James River Basin Costs

James Basin Estimated Cost Summary

Agricultural BMPs	Cost Units	Capital $/Unit	Capital Costs	Tech Assistance	O & M	Total Cost
Conservation-Tillage	$/Acre	$0	$1,195,740	$119,574	$0	$1,315,314
Continuous No-Till	$/Acre	$100	$2,327,700	$232,770	$0	$2,560,470
Forest Buffers	$/Acre	$545	$38,365,820	$3,836,582	$1,140,415	$43,342,817
Wetland Restoration	$/Acre	$889	$29,937,075	$2,993,708	$1,250,016	$34,180,799
Land Retirement	$/Acre	$928	$0	$0	$0	$0
Grass Buffers	$/Acre	$175	$3,452,750	$345,275	$0	$3,798,025
Tree Planting	$/Acre	$1,284	$121,343,136	$12,134,314	$1,530,965	$135,008,414
Nutrient Management Plans	$/Acre	$7	$3,868,270	$386,827	$0	$4,255,097
Enhanced Nutrient Management	$/Acre	$7	$36,526	$3,653	$0	$40,179
20% Poultry Litter Transport	$/Dry Ton/Yr	$0	$0	$0	$672,780	$672,780
Conservation Plans	$/Acre	$7	$2,664,907	$266,491	$1,941,575	$4,872,973
Cover Crops (Early-Planting)	$/Acre	$0	$8,650,225	$865,023	$0	$9,515,248
Off-Stream Watering w/ Fencing	$/Acre	$284	$51,296,932	$5,129,693	$5,259,742	$61,686,367
Off-Stream Watering w/o Fencing	$/Acre	$152	$17,518,912	$1,751,891	$2,420,376	$21,691,179
Off-Stream Watering w/ Fencing & RG	$/Acre	$186	$0	$0	$0	$0
Stream Stabilization	$/LinFt	$12	$516,000	$51,600	$0	$567,600
Animal Waste Management	$/Acre	$32,278	$5,229,036	$522,904	$583,498	$6,335,438
Total Cost for Agricultural BMPs			**$286,403,029**	**$28,640,303**	**$14,799,367**	**$329,842,699**
Urban BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Wet Ponds & Wetlands	$/Acre	$3,363	$372,693,541	$74,538,708	$18,634,677	$465,866,926
Urban Infiltration Practices	$/Acre	$5,285	$585,648,180	$117,129,636	$58,564,818	$761,342,633
Urban Filtering Practices	$/Acre	$12,719	$1,409,567,377	$281,913,475	$84,574,043	$1,776,054,894
Urban Stream Rest	$/LinFt	$240	$27,583,997	$5,516,799	$0	$33,100,797
Urban Forest Buffers	$/Acre	$1,284	$35,639,988	$7,127,998	$449,663	$43,217,649
Urban Tree Planting	$/Acre	$1,284	$39,715,404	$7,943,081	$501,082	$48,159,567
Urban Nutrient Management	$/Acre	$15	$4,204,530	$840,906	$0	$5,045,436
Erosion & Sediment Control	$/Acre	$2,000	$260,320,000	$26,032,000	$65,080,000	$351,432,000
Non-Structural Shoreline Erosion Control	$/LinFt	$45	$3,195,000	$639,000	n/a	$3,834,000
Structural Shoreline Erosion Control	$/LinFt	$300	$2,130,000	$426,000	n/a	$2,556,000
Total Cost for Urban BMPs			**$2,740,698,016**	**$522,107,603**	**$227,804,283**	**$3,490,609,903**
Mixed Open BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Wetland Restoration	$/Acre	$889	$33,514,411.00	$6,702,882	$1,399,387	$41,616,680
Tree Planting	$/Acre	$1,284	$91,452,900	$18,290,580	$1,153,845	$110,897,325
Mixed Open Nutrient Management	$/Acre	$15	$12,424,500	$2,484,900	$0	$14,909,400
Forest Buffers	$/Acre	$545	$38,817,080.00	$7,763,416	$1,153,829	$47,734,325
Non-Structural Shoreline Erosion Control	$/LinFt	$45	$1,507,500	$301,500	n/a	$1,809,000
Structural Shoreline Erosion Control	$/LinFt	$300	$1,005,000.00	$201,000	n/a	$1,206,000
Total Cost for Mixed Open BMPs			**$178,721,391**	**$35,744,278**	**$3,707,061**	**$218,172,730**
Forest BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Forest Harvesting Practices	$/Acre	$21	$1,278,711	$127,871	$0	$1,406,582
Total Costs for Forest BMPs			**$1,278,711**	**$127,871**	**$0**	**$1,406,582**
Septic BMPs	**Cost Units**	**Capital $/Unit**	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Septic Pumping	$/System	$200	16,065,400	$1,606,540	$0	$17,671,940
Septic Connections	$/System	$1,500	4,918,500	$491,850	$0	$5,410,350
Total Cost for Septic BMPs			**$20,983,900**	**$2,098,390**	**$0**	**$23,082,290**

NPS Current Requirements/Permit Costs (by Source Category)				
	Development & Permits			
	Capital Costs	**Tech Assistance**	**O& M**	**Total**
Agriculture	$0	$0	$0	$0

	Capital Costs	Tech Assistance	O& M	Total
Urban	$2,324,628,545	$438,893,709	$206,111,806	$2,969,634,060
Mixed Open	$0	$0	$0	$0
Septic	$4,918,500	$491,850	$0	$5,410,350
Forest	$1,278,711	$127,871	$0	$1,406,582
Total	**$2,330,825,756**	**$439,513,430**	**$206,111,806**	**$2,976,450,992**
NPS Governmental vs Non-Governmental Costs (by Source Category)				
		State Governmental		
	Capital Costs	**Tech Assistance**	**O& M**	**Total Gov't.**
Agriculture	$204,234,998	$20,423,500	$0	$224,658,498
Urban	$123,863,870	$24,772,774	$0	$148,636,644
Mixed Open	$172,207,038	$34,441,408	$0	$206,648,446
Septic	$722,900	$72,290	$0	$795,190
Forest	$0	$0	$0	$0
Total	**$501,028,806**	**$79,709,972**	**$0**	**$580,738,778**
NPS Governmental vs Non-Governmental Costs (by Source Category)				
		Non-Governmental		
	Capital Costs	**Tech Assistance**	**O& M**	**Total Non-Gov't.**
Agriculture	$82,168,031	$8,216,803	$14,799,367	$105,184,201
Urban	$292,205,601	$58,441,120	$21,692,478	$372,339,199
Mixed Open	$6,514,353	$1,302,871	$3,707,061	$11,524,284
Septic	$15,342,500	$1,534,250	$0	$16,876,750
Forest	$0	$0	$0	$0
Total	**$396,230,485**	**$69,495,044**	**$40,198,905**	**$505,924,434**
Point Source Reductions	**Capital Costs**	**Tech Assistance**	**O& M**	**Total**
Total*	**$486,589,438**	**$0**	**$14,597,683**	**$501,187,121**
Total State Gov't	**$227,055,311**	**$0**	**$0**	**$227,055,311**
Total Non-Gov't	**$259,534,127**	**$0**	**$14,597,683**	**$274,131,810**
Basin Total:	**$4,564,301,324**			

***O&M costs displayed here were estimated using the SAIC/CBP cost method.**
DEQ has estimated these costs for each facility and overall cost reflect the DEQ estimates.

Table C-3: Summary of Estimated Costs by Basins

Tributary Strategy Costs (in Millions of Dollars)

Virginia Statewide Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$740	$74	$45	$859
Total Cost for Urban BMPs	$5,874	$1,118	$528	$7,519
Total Cost for Mixed Open BMPs	$323	$65	$7	$394
Total Costs for Forest BMPs	$2	$0.2	$0	$2
Total Cost for Septic BMPs	$74	$7	$0	$82
Total Costs for Point Source Reductions	$1,099	$0	$42	$1,141
Grand Total				$9,997

Shenandoah/Potomac Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$297	$30	$22	$349
Total Cost for Urban BMPs	$2,300	$437	$195	$2,932
Total Cost for Mixed Open BMPs	$50	$10	$1	$61
Total Costs for Forest BMPs	$0.20	$0.02	$0	$0.2
Total Cost for Septic BMPs	$38	$4	$0	$42
Total Costs for Point Source Reductions	$476	$0	$23	$499
Grand Total				$3,883

Shenandoah Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$181	$18	$17	$216
Total Cost for Urban BMPs	$639	$121	$54	$814
Total Cost for Mixed Open BMPs	$24	$5	$0.5	$29
Total Costs for Forest BMPs	$0.08	$0.01	$0	$0.09
Total Cost for Septic BMPs	$11	$1	$0	$13
Total Costs for Point Source Reductions	$113	$0	$5	$118
Grand Total				$1,190

Potomac Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$116	$12	$6	$133
Total Cost for Urban BMPs	$1,662	$316	$141	$2,118
Total Cost for Mixed Open BMPs	$26	$5	$0.5	$32
Total Costs for Forest BMPs	$0.10	$0.01	$0	$0.10
Total Cost for Septic BMPs	$26	$3	$0	$29
Total Costs for Point Source Reductions	$362	$0	$18	$380
Grand Total				$2,692

Rappahannock Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$84	$8	$6	$97
Total Cost for Urban BMPs	$420	$80	$34	$534

Total Cost for Mixed Open BMPs	$21	$4	$0.4	$25
Total Costs for Forest BMPs	$0.20	$0.02	$0	$0.30
Total Cost for Septic BMPs	$7	$0.7	$0	$8
Total Costs for Point Source Reductions	$92	$0	$2	$94
Grand Total				$758

York Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$57	$6	$2	$65
Total Cost for Urban BMPs	$374	$71	$68	$512
Total Cost for Mixed Open BMPs	$67	$13	$2	$82
Total Costs for Forest BMPs	$0.40	$0.04	$0	$0.40
Total Cost for Septic BMPs	$8	$0.8	$0	$9
Total Costs for Point Source Reductions	$30	$0	$0.9	$31
Grand Total				$699

Tributary Strategy Costs (in Millions of Dollars)

James Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$286	$29	$15	$330
Total Cost for Urban BMPs	$2,741	$522	$228	$3,491
Total Cost for Mixed Open BMPs	$179	$36	$4	$218
Total Costs for Forest BMPs	$1	$0.10	$0	$1
Total Cost for Septic BMPs	$21	$2	$0	$23
Total Costs for Point Source Reductions	$487	$0	$15	$501
Grand Total				$4,564

Upper James Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$85	$8	$5	$98
Total Cost for Urban BMPs	$240	$46	$20	$306
Total Cost for Mixed Open BMPs	$33	$7	$0.7	$40
Total Costs for Forest BMPs	$0.20	$0.02	$0	$0.20
Total Cost for Septic BMPs	$2	$0.2	$0	$2
Total Costs for Point Source Reductions	$40	$0	$1	$41
Grand Total				$487

Middle James Basin Estimated Cost Summary	**Capital Costs**	**Tech Assistance**	**O & M**	**Total Cost**
Total Cost for Agricultural BMPs	$168	$17	$9	$194
Total Cost for Urban BMPs	$1,511	$288	$125	$1,924
Total Cost for Mixed Open BMPs	$133	$27	$3	$162
Total Costs for Forest BMPs	$0.90	$0.10	$0	$1
Total Cost for Septic BMPs	$14	$1	$0	$16
Total Costs for Point Source Reductions	$235	$0	$7	$242
Grand Total				$2,539

Lower James Basin Estimated Cost Summary	Capital Costs	Tech Assistance	O & M	Total Cost
Total Cost for Agricultural BMPs	$34	$3	$1.0	$38
Total Cost for Urban BMPs	$989	$188	$83	$1,260
Total Cost for Mixed Open BMPs	$14	$2	$0.3	$17
Total Costs for Forest BMPs	$0.20	$0.02	$0	$0.20
Total Cost for Septic BMPs	$5	$0.5	$0	$5
Total Costs for Point Source Reductions	$212	$0	$6	$218
Grand Total				$1,538

Eastern Shore Estimated Cost Summary	Capital Costs	Tech Assistance	O & M	Total Cost
Total Cost for Agricultural BMPs	$16	$2	$0.5	$18
Total Cost for Urban BMPs	$39	$8	$3	$50
Total Cost for Mixed Open BMPs	$6	$1	$0.1	$7
Total Costs for Forest BMPs	$0.04	$0.004	$0	$0.05
Total Cost for Septic BMPs	$0.9	$0.09	$0	$1
Total Costs for Point Source Reductions	$14	$0	$0.5	$15
Grand Total				$91

Appendix D: James River Sub-Basin Load Charts and Input Decks

FIGURE D-1.
Lower James 1985 Percent of Total Nitrogen by Land Use

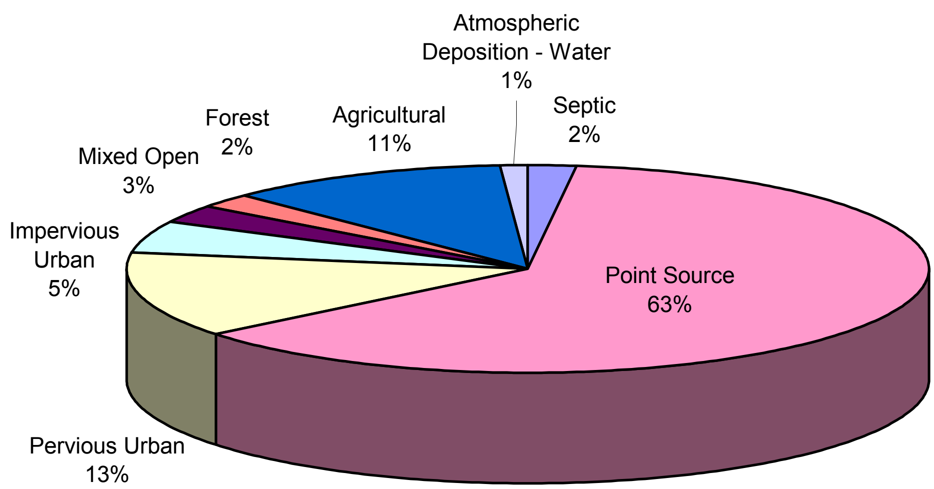


FIGURE D-2.
Lower James 2002 Percent of Total Nitrogen by Land Use

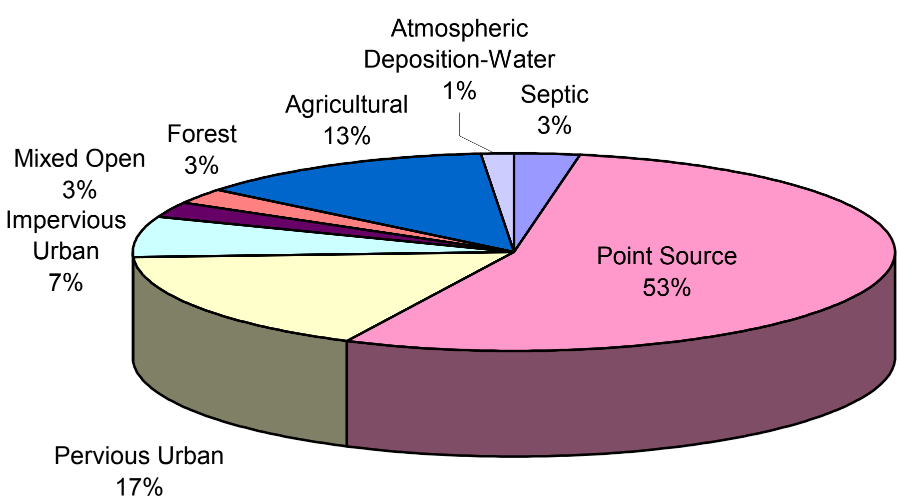


FIGURE D-3.
Lower James 2010 Percent of Total Nitrogen by Land Use

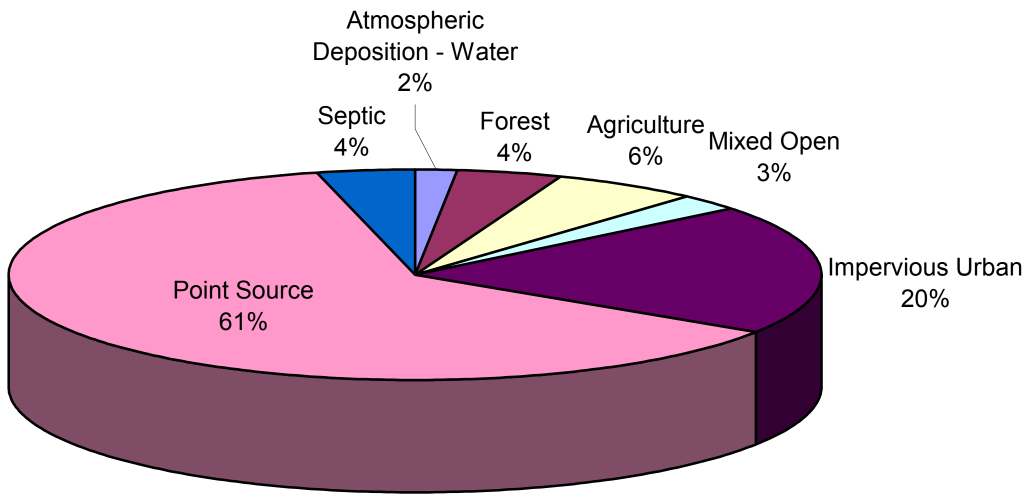


FIGURE D-4.
Lower James 1985 Percent of Total Phosphorus by Land Use

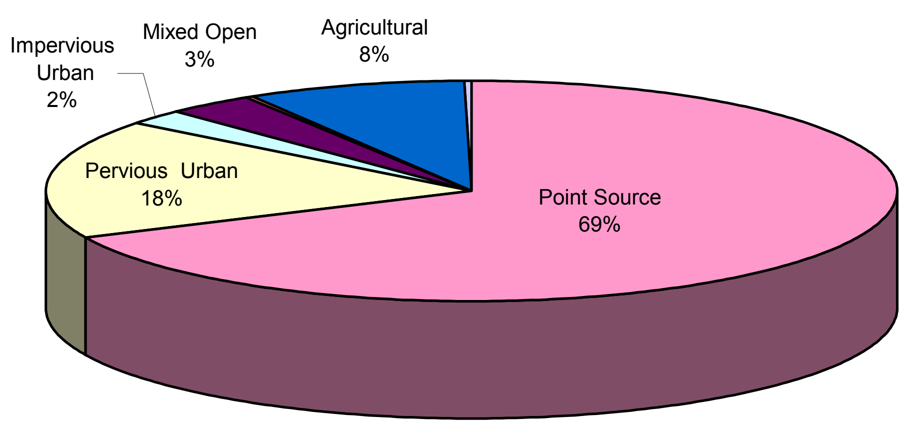


FIGURE D-5.
Lower James 2002 Percent of Total Phosphorus by Land Use

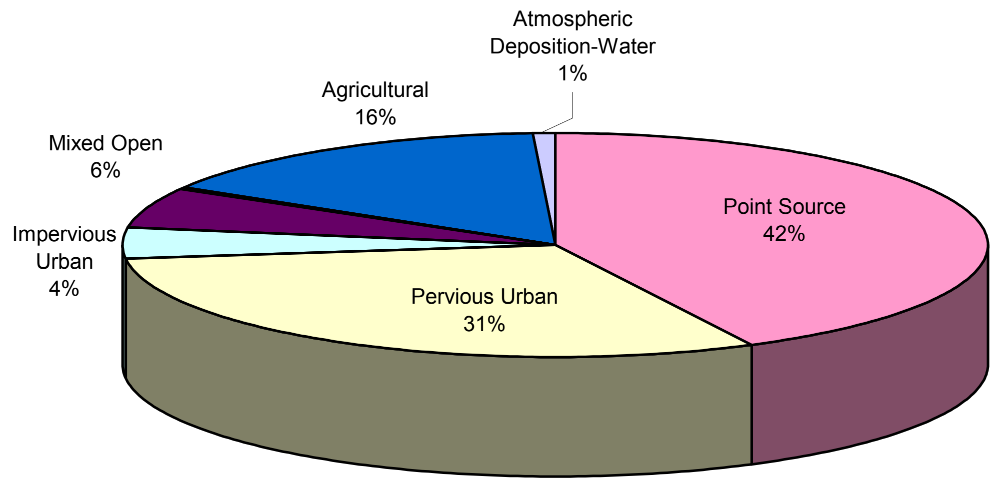


FIGURE D-6.
Lower James 2010 Percent of Total Phosphorus by Land Use

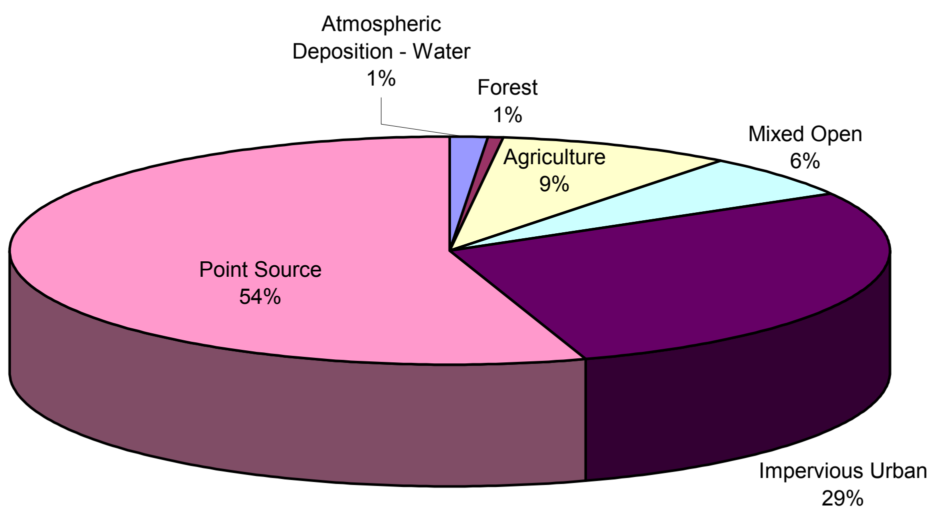


FIGURE D-7.
Lower James 1985 Percent of Total Sediment Loads by Landuse

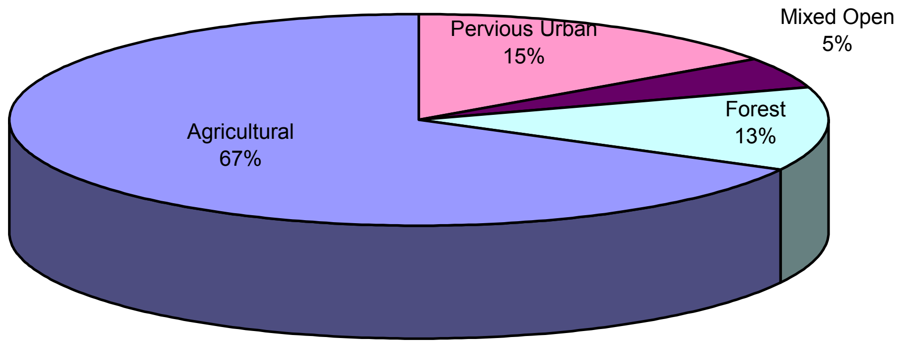


FIGURE D-8.
Lower James 2002 Percent of Total Sediment Loads by Land Use

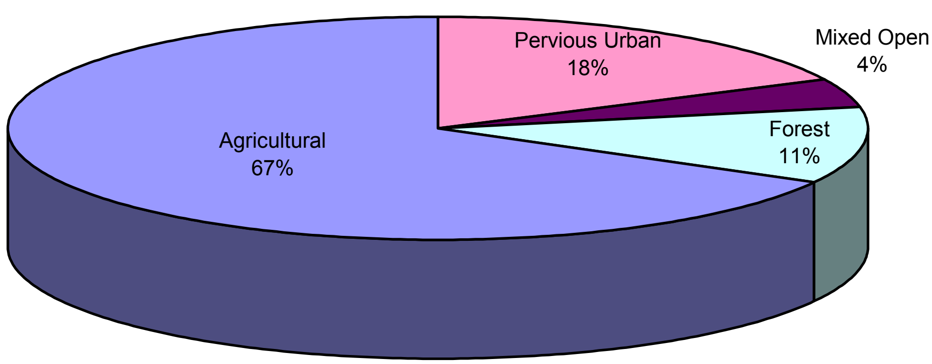


FIGURE D-9.
Lower James 2010 Percent of Total Sediment by Land Use

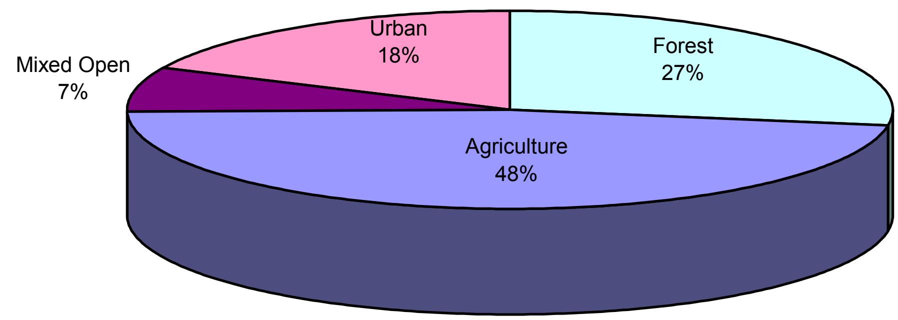


FIGURE D-10.
Middle James 1985 Percent of Total Nitrogen Load by Land Use

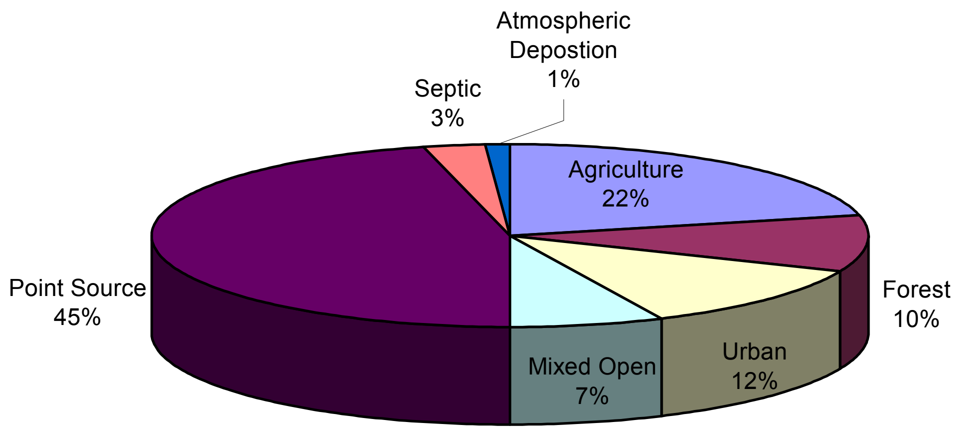


FIGURE D-11.
Middle James 2002 Percent of Total Nitrogen Load by Land Use

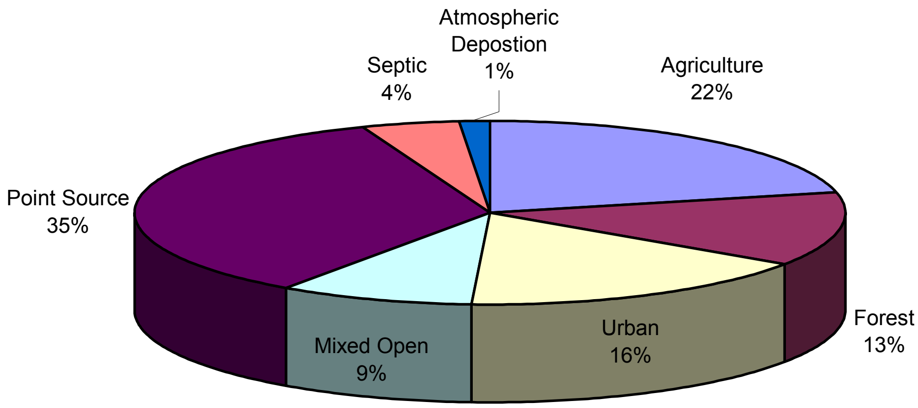


FIGURE D-12.
Middle James 2010 Percent of Total Nitrogen by Land Use

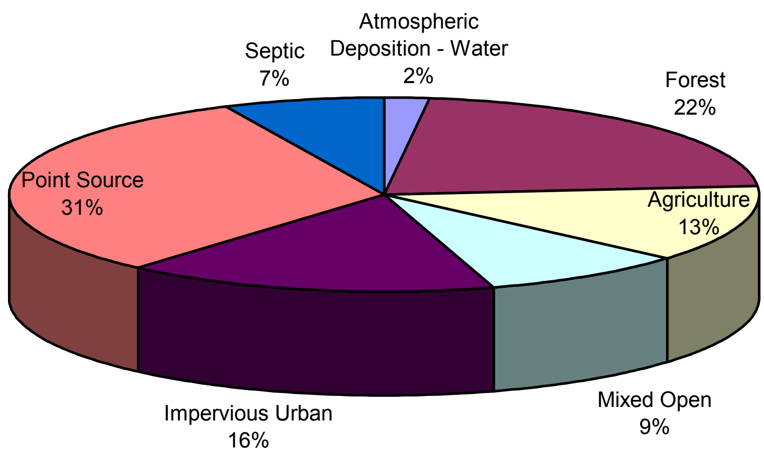


FIGURE D-13.
Middle James 1985 Percent Phosphorus Loads by Land Use

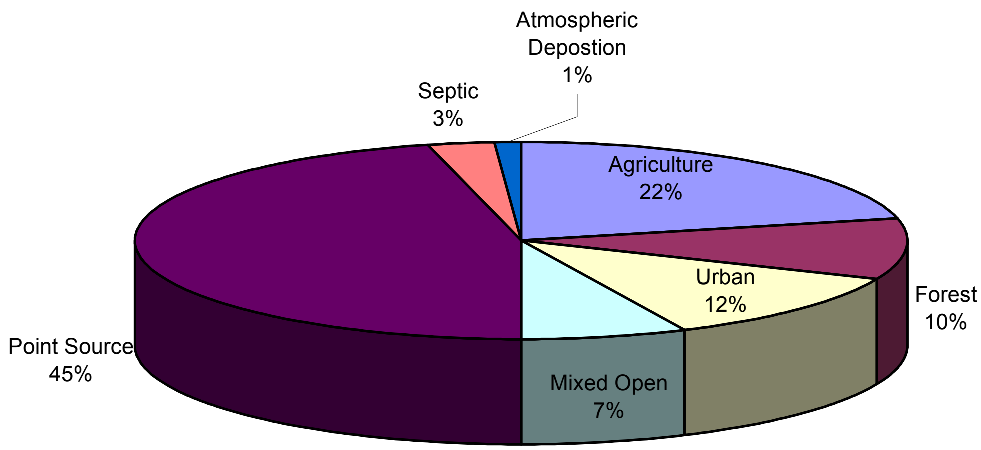


FIGURE D-14.
Middle James 2002 Percent of Total Phosphorus by Land Use

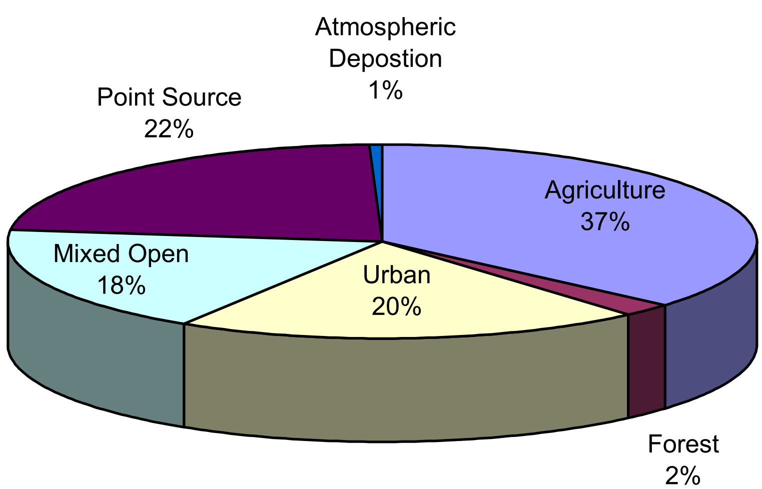


FIGURE D-15.
Middle James 2010 Percent of Total Phosphorus by Land Use

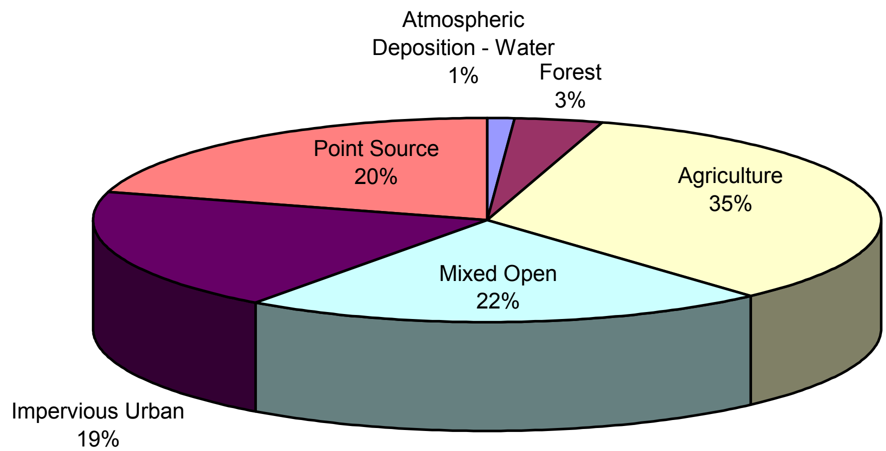


FIGURE D-16.
Middle James 1985 Percent of Total Sediment by Land Use

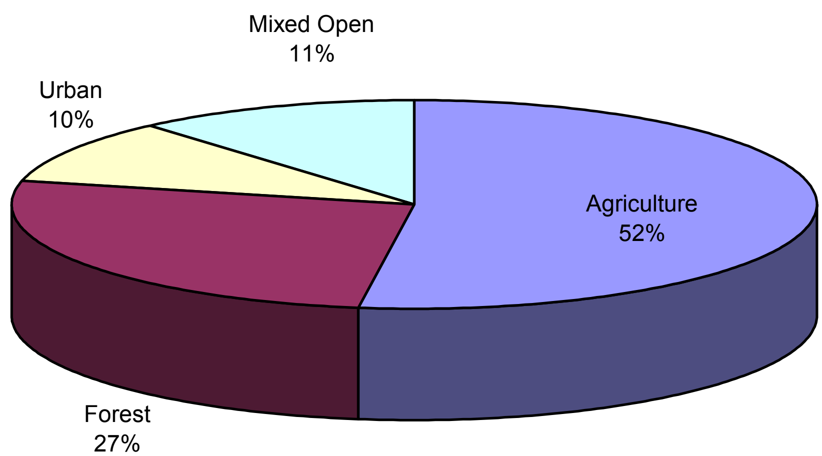


FIGURE D-17.
Middle James 2002 Percent Sediment by Land Use

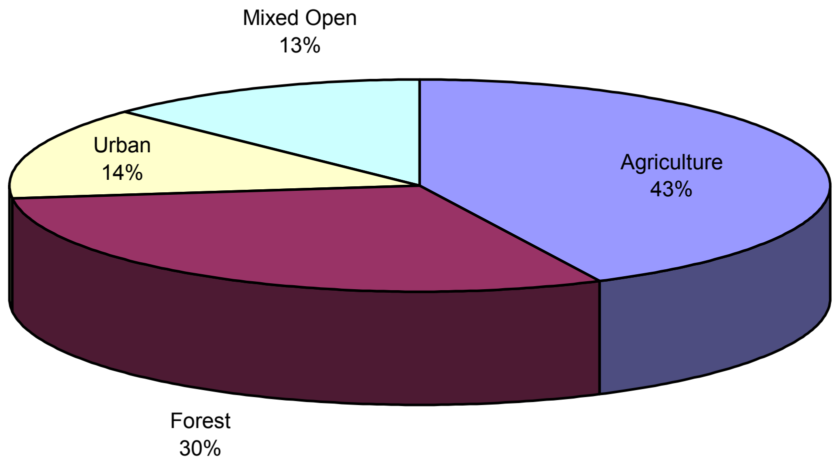


FIGURE D-18.
Middle James 2010 Percent of Total Sediment by Land Use

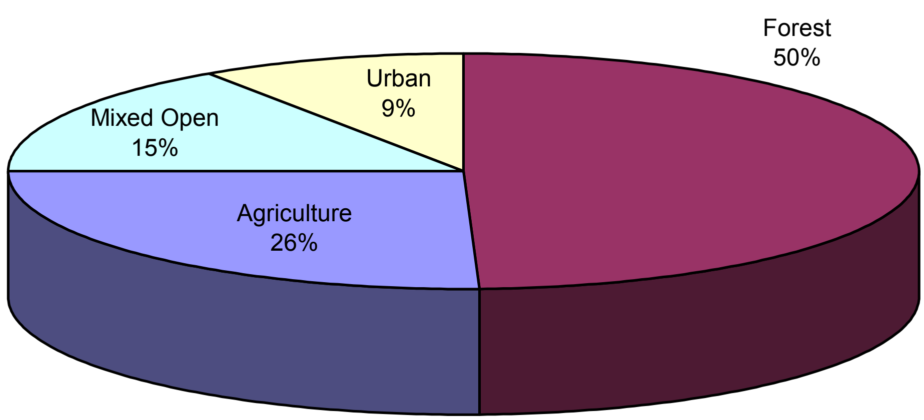


FIGURE D-19.
Upper James 1985 Percent Total Nitrogen Load by Land Use

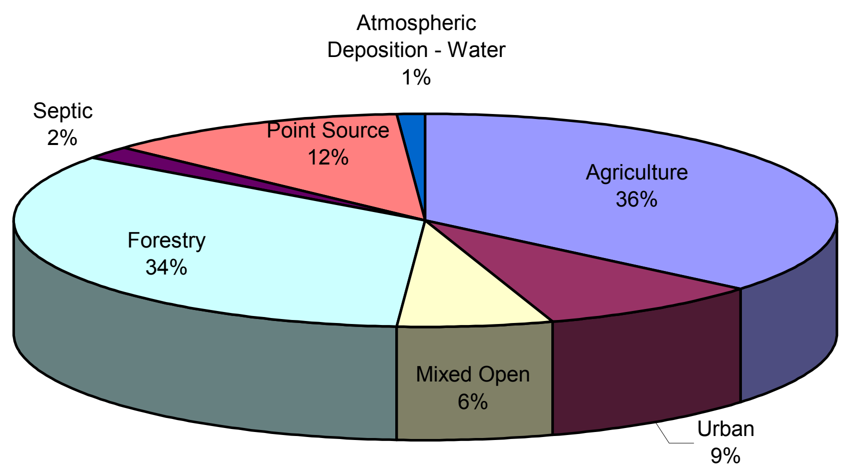


FIGURE D-20.
Upper James 2002 Percent Total Nitrogen Load by Land Use

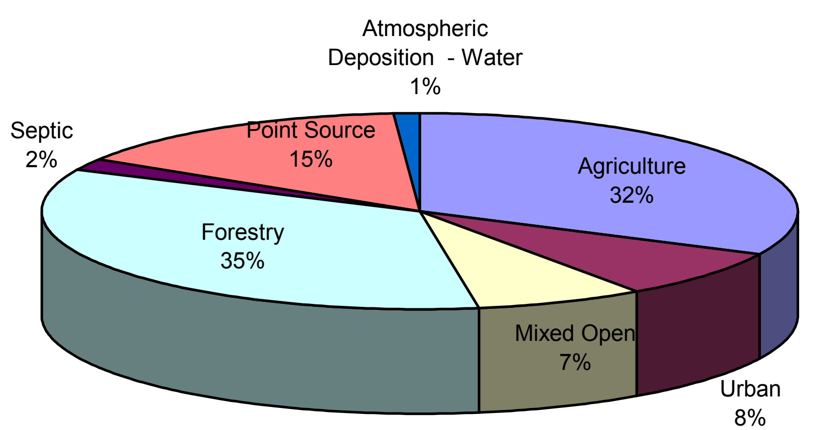


FIGURE D-21.
Upper James 2010 Percent of Total Nitrogen by Land Use

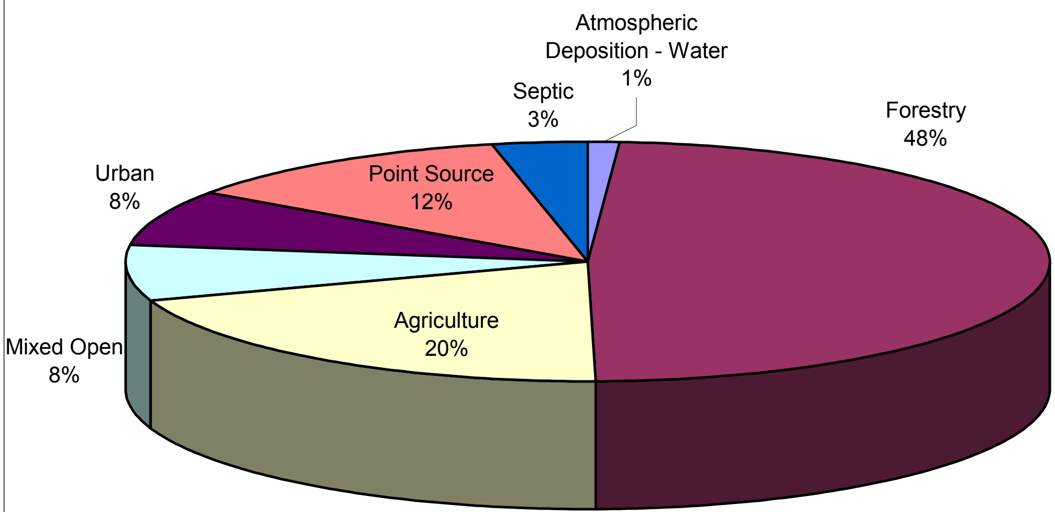


FIGURE D-22.
Upper James 1985 Percent of Total Phosphorus Load by Land Use

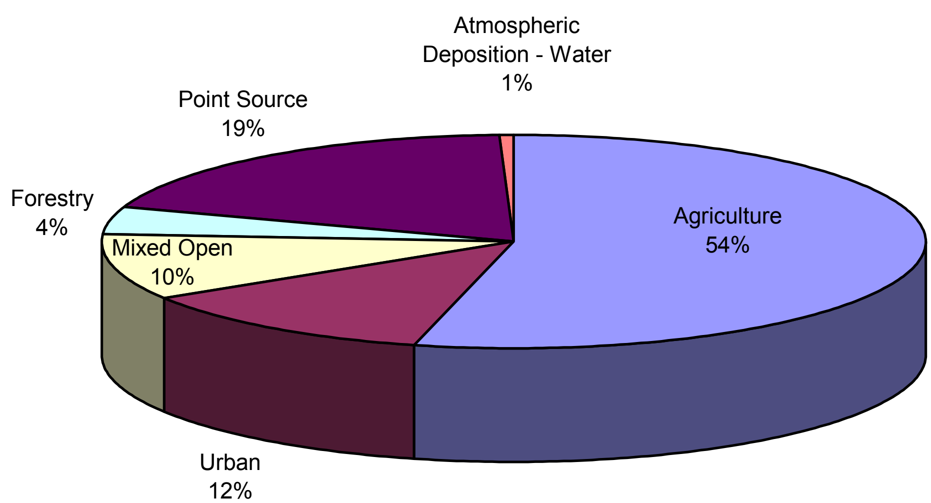


FIGURE D-23.
Upper James 2002 Percent of Total Phosphorus Load by Land Use

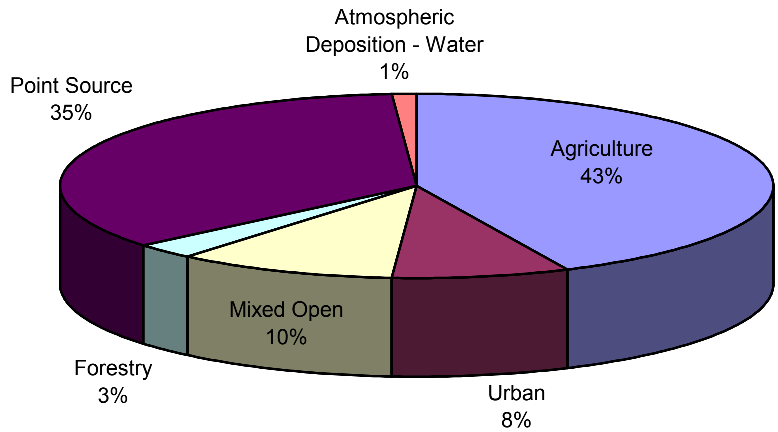


FIGURE D-24.
Upper James 2010 Percent of Total Phosphorus by Land Use

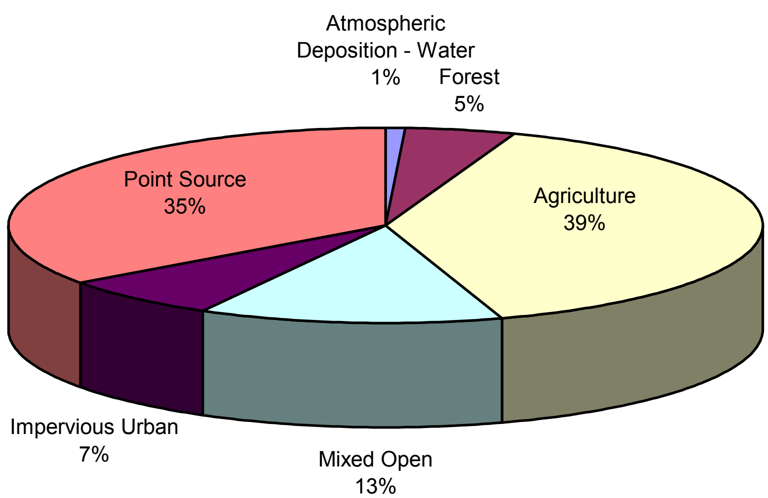


FIGURE D-25.
Upper James 1985 Percent of Total Sediment Load by Land Use

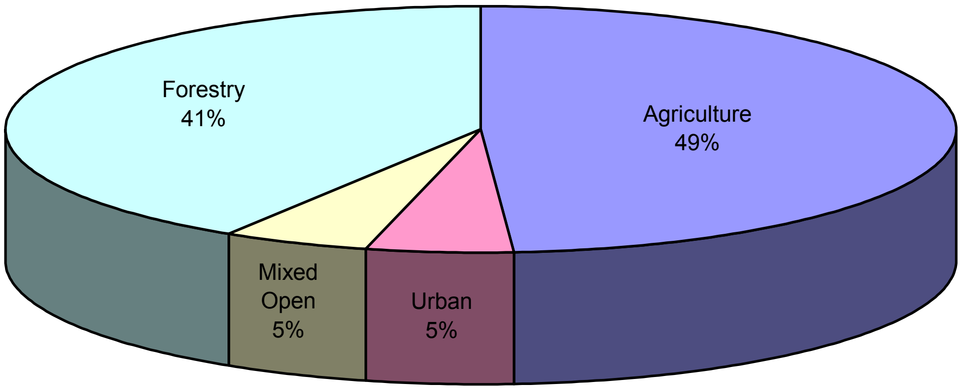


FIGURE D-26.
Upper James 2002 Percent of Total Sediment Load by Land Use

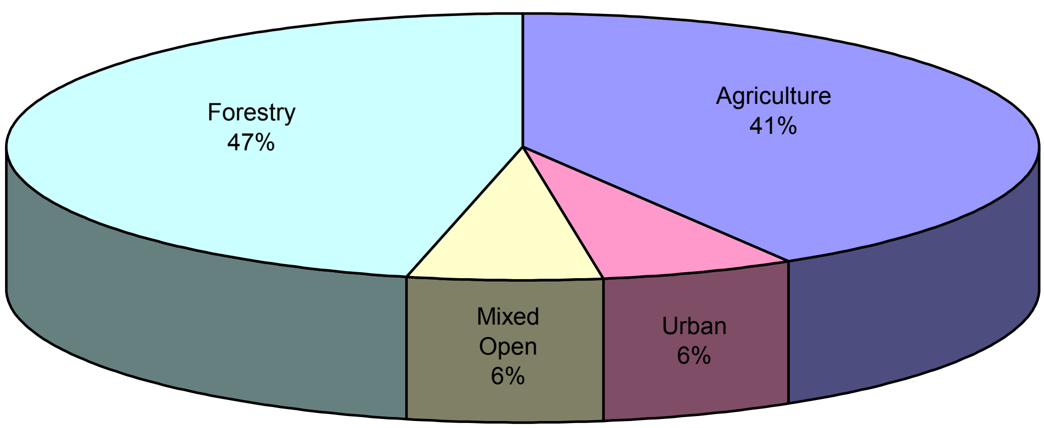


FIGURE D-27.
Upper James 2010 Percent of Total Sediment by Land Use

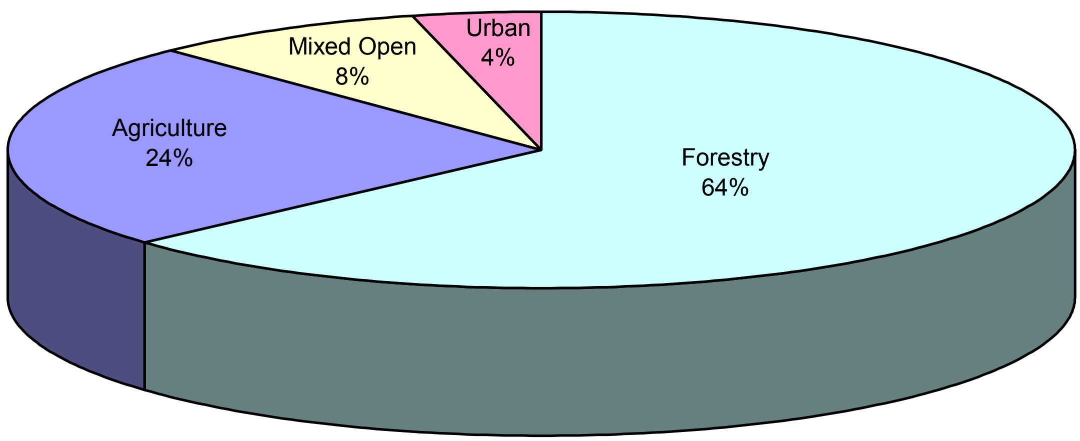


Table D-1. Input Deck, Lower James

Lower James Basin	Land Use	Available Units	2002 BMP Progress	2010 BMP Goal	Remaining BMP Need
Forestry BMPs					
Forest Harvesting Practices	Forest	208,907	0	7,369	7,369
Agricultural BMPs					
Buffers Forested	Hay	2,930	0	220	220
Nutrient Management Plan Implementation	Hay	2,930	69	2,016	1,947
Retirement Highly Erodible Land	Hay	2,930	0	0	0
Soil Conservation Water Quality Plans	Hay	2,930	344	2,016	1,672
Tree Planting	Hay	2,930	0	439	439
Wetland Restoration	Hay	2,930	0	148	148
Yield Reserve	Hay	2,930	0	21	21
Buffers Forested	Cropland*	77,433	12	5,807	5,796
Buffers Grass	Cropland*	77,433	0	7,745	7,745
Cover Crops	Cropland*	77,433	18	31,154	31,136
Continuous No-Till	Cropland*	77,433	0	15,485	15,485
Conservation Tillage	Cropland*	77,433	10,828	14,107	3,279
Nutrient Management Plan Implementation	Cropland*	77,433	5,984	31,154	25,170
Retirement Highly Erodible Land	Cropland*	77,433	48	0	0
Soil Conservation Water Quality Plans	Cropland*	77,433	17,168	31,154	13,986
Tree Planting	Cropland*	77,433	0	11,615	11,615
Wetland Restoration	Cropland*	77,433	0	3,872	3,872
Yield Reserve	Cropland*	77,433	0	658	658
Animal Waste Management Systems/Barnyard Runoff Control	Manure	95	6	95	89
Poultry Litter Alternative Use/Transported (Dry Tons)	Manure	4,027	0	0	0
Buffers Forested	Pasture	4,899	0	491	491
Grazing Land Protection	Pasture	4,899	65	367	302
Soil Conservation Water Quality Plans	Pasture	4,899	1,336	3,488	2,152
Stream Protection with Fencing	Pasture	4,899	0	1,837	1,837
Stream Protection without Fencing	Pasture	4,899	0	1,101	1,101
Stream Stabilization/Restoration (linear feet)	Pasture	na	0	1,500	1,500
Tree Planting	Pasture	4,899	0	734	734
Urban BMPs					
Buffers Forested	Pervious Urban	158,771	0	6,351	6,351
Erosion Sediment Control	Impervious Urban	123,708	0	24,743	24,743
Erosion Sediment Control	Pervious Urban	158,771	0	23,818	23,818
Nutrient Management Plan Implementation	Pervious Urban	158,771	5,317	45,248	39,931
Non Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	56,000	56,000
Stream Restoration (linear feet)	Impervious Urban	na	0	23,500	23,500
Stream Restoration (linear feet)	Pervious Urban	na	0	26,000	26,000
Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	5,600	5,600
Storm Water Management - Filtering Practices	Impervious Urban	123,708	0	17,548	17,548
Storm Water Management - Filtering Practices	Pervious Urban	158,771	0	22,442	22,442
Storm Water Management - Infiltration Practices	Impervious Urban	123,708	0	17,548	17,548
Storm Water Management - Infiltration Practices	Pervious Urban	158,771	0	22,442	22,442
Storm Water Management - Wet Ponds/Wetlands	Pervious Urban	158,771	0	22,442	22,442
Storm Water Management - Wet Ponds/Wetlands	Impervious Urban	123,708	0	17,548	17,548
Tree Planting	Pervious Urban	158,771	0	9,525	9,525
Mixed Open BMPs					
Buffers Forested	Mixed Open	41,753	0	4,175	4,175
Nutrient Management Plan Implementation	Mixed Open	41,753	0	25,780	25,780
Non Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	18,500	18,500
Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	1,850	1,850
Tree Planting	Mixed Open	41,753	0	4,176	4,176
Wetland Restoration	Mixed Open	41,753	0	4,175	4,175
Septic BMPs					
Septic Connections (systems)	Septic	35,760	0	715	715
Septic Pumping (systems)	Septic	35,760	0	17,522	17,522

All implementation units are acres unless otherwise noted.

BMPs in bold letters are conversion practices. Once converted, no additional BMPs can be applied.

BMPs not in bold letters are non-conversion practices and can have multiple BMPs applied per acre.

*Acres available for high-till and low-till are combined in this table, providing one figure for total acres of cropland available.

Table D-2. Input Deck, Middle James

Middle James Basin	Land Use	Available Units	2002 BMP Progress	2010 BMP Goal	Remaining BMP Need
Forestry BMPs					
Forest Harvesting Practices	Forest	2,318,515	0	44,926	44,926
Agricultural BMPs					
Buffers Forested	Hay	212,183	983	15,914	14,930
Nutrient Management Plan Implementation	Hay	212,183	37,050	131,022	93,972
Retirement Highly Erodible Land	Hay	212,183	0	0	0
Soil Conservation Water Quality Plans	Hay	212,183	36,560	131,022	94,462
Tree Planting	Hay	212,183	0	21,218	21,218
Wetland Restoration	Hay	212,183	14	21,219	21,205
Yield Reserve	Hay	212,183	0	1,380	1,380
Buffers Forested	Cropland*	77,910	475	3,895	3,421
Buffers Grass	Cropland*	77,910	169	9,740	9,571
Cover Crops	Cropland*	77,910	845	51,808	50,963
Continuous No-Till	Cropland*	77,910	0	7,792	7,792
Conservation Tillage	Cropland*	77,910	81,781	56,482	0
Nutrient Management Plan Implementation	Cropland*	77,910	37,856	51,808	13,952
Retirement Highly Erodible Land	Cropland*	77,910	6,342	0	-6,342
Soil Conservation Water Quality Plans	Cropland*	77,910	84,365	51,808	0
Tree Planting	Cropland*	77,910	0	0	0
Wetland Restoration	Cropland*	77,910	5	0	0
Yield Reserve	Cropland*	77,910	0	0	0
Animal Waste Management Systems/Barnyard Runoff Control	Manure	125	67	125	58
Poultry Litter Alternative Use/Transported (Dry Tons)	Manure	85,781	0	11,213	11,213
Buffers Forested	Pasture	324,376	0	24,328	24,328
Grazing Land Protection	Pasture	324,376	22,173	24,329	2,156
Soil Conservation Water Quality Plans	Pasture	324,376	66,164	231,116	164,952
Stream Protection with Fencing	Pasture	324,376	11,081	121,638	110,557
Stream Protection without Fencing	Pasture	324,376	0	72,985	72,985
Stream Stabilization/Restoration (linear feet)	Pasture	na	0	26,500	26,500
Tree Planting	Pasture	324,376	0	32,438	32,438
Urban BMPs					
Buffers Forested	Pervious Urban	306,342	0	18,380	18,380
Erosion Sediment Control	Impervious Urban	137,934	0	27,588	27,588
Erosion Sediment Control	Pervious Urban	306,342	0	42,889	42,889
Nutrient Management Plan Implementation	Pervious Urban	306,342	6,830	81,488	74,658
Non Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	15,000	15,000
Stream Restoration (linear feet)	Impervious Urban	na	0	23,750	23,750
Stream Restoration (linear feet)	Pervious Urban	na	0	31,000	31,000
Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	1,500	1,500
Storm Water Management - Filtering Practices	Impervious Urban	137,934	0	19,024	19,024
Storm Water Management - Filtering Practices	Pervious Urban	306,342	0	42,103	42,103
Storm Water Management - Infiltration Practices	Impervious Urban	137,934	0	19,024	19,024
Storm Water Management - Infiltration Practices	Pervious Urban	306,342	0	42,103	42,103
Storm Water Management - Wet Ponds/Wetlands	Pervious Urban	306,342	0	42,103	42,103
Storm Water Management - Wet Ponds/Wetlands	Impervious Urban	137,934	0	19,024	19,024
Tree Planting	Pervious Urban	306,342	0	18,380	18,380
Mixed Open BMPs					
Buffers Forested	Mixed Open	538,161	0	53,827	53,827
Nutrient Management Plan Implementation	Mixed Open	538,161	0	306,751	306,751
Non Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	15,000	15,000
Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	1,500	1,500
Tree Planting	Mixed Open	538,161	0	53,827	53,827
Wetland Restoration	Mixed Open	538,161	0	26,914	26,914
Septic BMPs					
Septic Connections (systems)	Septic	111,766	0	2,235	2,235
Septic Pumping (systems)	Septic	111,766	0	54,765	54,765

All implementation units are acres unless otherwise noted.

BMPs in bold letters are conversion practices. Once converted, no additional BMPs can be applied.

BMPs not in bold letters are non-conversion practices and can have multiple BMPs applied per acre.

*Acres available for high-till and low-till are combined in this table, providing one figure for total acres of cropland available.

Table D-3. Input Deck, Upper James

Upper James Basin	Land Use	Available Units	2002 BMP Progress	2010 BMP Goal	Remaining BMP Need
Forestry BMPs					
Forest Harvesting Practices	Forest	1,407,380	0	8,596	8,596
Agricultural BMPs					
Buffers Forested	Hay	84,555	357	6,342	5,985
Nutrient Management Plan Implementation	Hay	84,555	3,645	52,212	48,567
Retirement Highly Erodible Land	Hay	84,555	0	0	0
Soil Conservation Water Quality Plans	Hay	84,555	13,623	52,212	38,589
Tree Planting	Hay	84,555	0	8,455	8,455
Wetland Restoration	Hay	84,555	0	8,455	8,455
Yield Reserve	Hay	84,555	0	550	550
Buffers Forested	Cropland*	12,169	86	608	522
Buffers Grass	Cropland*	12,169	19	2,433	2,414
Cover Crops	Cropland*	12,169	0	8,093	8,093
Continuous No-Till	Cropland*	12,169	0	0	0
Conservation Tillage	Cropland*	12,169	10,385	9,127	0
Nutrient Management Plan Implementation	Cropland*	12,169	630	8,093	7,463
Retirement Highly Erodible Land	Cropland*	12,169	2,519	0	0
Soil Conservation Water Quality Plans	Cropland*	12,169	2,325	8,093	5,768
Tree Planting	Cropland*	12,169	0	0	0
Wetland Restoration	Cropland*	12,169	0	0	0
Yield Reserve	Cropland*	12,169	0	0	0
Animal Waste Management Systems/Barnyard Runoff Control	Manure	35	20	35	15
Poultry Litter Alternative Use/Transported (Dry Tons)	Manure	18,001	0	0	0
Buffers Forested	Pasture	196,049	0	14,704	14,704
Grazing Land Protection	Pasture	196,049	19,191	13,723	0
Soil Conservation Water Quality Plans	Pasture	196,049	38,696	130,372	91,676
Stream Protection with Fencing	Pasture	196,049	388	68,616	68,228
Stream Protection without Fencing	Pasture	196,049	0	41,170	41,170
Stream Stabilization/Restoration (linear feet)	Pasture	na	0	15,000	15,000
Tree Planting	Pasture	196,049	0	19,605	19,605
Urban BMPs					
Buffers Forested	Pervious Urban	50,431	0	3,026	3,026
Erosion Sediment Control	Impervious Urban	20,312	0	4,063	4,063
Erosion Sediment Control	Pervious Urban	50,431	0	7,061	7,061
Nutrient Management Plan Implementation	Pervious Urban	50,431	0	13,415	13,415
Non Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	0	0
Stream Restoration (linear feet)	Impervious Urban	na	0	2,750	2,750
Stream Restoration (linear feet)	Pervious Urban	na	0	8,000	8,000
Structural Shoreline Erosion Control (linear feet)	Pervious Urban	na	0	0	0
Storm Water Management - Filtering Practices	Impervious Urban	20,312	0	2,789	2,789
Storm Water Management - Filtering Practices	Pervious Urban	50,431	0	6,915	6,915
Storm Water Management - Infiltration Practices	Impervious Urban	20,312	0	2,789	2,789
Storm Water Management - Infiltration Practices	Pervious Urban	50,431	0	6,915	6,915
Storm Water Management - Wet Ponds/Wetlands	Pervious Urban	50,431	0	6,915	6,915
Storm Water Management - Wet Ponds/Wetlands	Impervious Urban	20,312	0	2,789	2,789
Tree Planting	Pervious Urban	50,431	0	3,026	3,026
Mixed Open BMPs					
Buffers Forested	Mixed Open	132,177	0	13,221	13,221
Nutrient Management Plan Implementation	Mixed Open	132,177	0	81,619	81,619
Non Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	0	0
Structural Shoreline Erosion Control (linear feet)	Mixed Open	na	0	0	0
Tree Planting	Mixed Open	132,177	0	13,221	13,221
Wetland Restoration	Mixed Open	132,177	0	6,611	6,611
Septic BMPs					
Septic Connections (systems)	Septic	16,407	0	328	328
Septic Pumping (systems)	Septic	16,407	0	8,039	8,039

All implementation units are acres unless otherwise noted.

BMPs in bold letters are conversion practices. Once converted, no additional BMPs can be applied.

BMPs not in bold letters are non-conversion practices and can have multiple BMPs applied per acre.

*Acres available for high-till and low-till are combined in this table, providing one figure for total acres of cropland available.

Appendix E: Summary of Public Comments on Draft James Strategy

The Commonwealth of Virginia solicited comments on its five Chesapeake Bay Nutrient and Sediment Reduction Tributary Strategies during a 30-day comment period that ended May 5, 2004. During this period, 80 individuals or organizations submitted written comments. Many were broad based and pertained to all five strategies. Others were more basin-specific. This appendix includes a summary of comments submitted for the James basin strategy. Nineteen individuals representing eighteen organizations provided comments on the James. Their submissions provided some 192 specific comments. Some comments were shared by more than one submission. Some were unique. All fit into one of the following nine categories.

1. Agricultural and forest-related nonpoint source practices found in the strategy.

Summary of comments: One agricultural--related comment received for the James strategy suggested that greater emphasis be placed on nutrient reductions from agricultural sources. Another comment requested a better description of recommended BMPs. However, there were several agricultural and forest comments that were made generally about all of the strategies that applied to the James River. (Several comments on "Implementation Strategies" covered below were agriculturally related).

Changes made to the strategy: The new strategies now contain an appendix that provides additional information, including efficiencies, on all agricultural and forest BMPs. Also, practices that the public wanted included such as structural and non-structural shoreline erosion control, stream stabilization/restoration and continuous no-till are now included in the strategies. Wetland restoration, tree planting, and stream protection with fencing BMPs were increased to offset the loss of forested buffers that had been reduced to lower costs and based on comments about its potentially excessive use in the drafts. Septic denitrification systems and horse pasture management were removed to lower the cost of the strategies and to reduce the excess total nitrogen that had been achieved in the draft strategies.

2. Urban/suburban nutrient management nonpoint source practices found in the strategy.

Summary of comments: There were only a few, practice-specific comments made concerning the James strategy. One of these addressed cost estimates for stream restoration. The only urban/suburban nutrient management comment requested additional explanation of urban BMPs in general and a specific description of trade-offs resulting from forest clearing for development, with subsequent BMP installations.

Changes made to the strategy: The James strategy now includes additional BMP information in an appendix. It also discusses implementation and the need for future planning at the sub-watershed level. More local information on BMPs would be available throughout the planning and implementation stages of the strategy.

3. Nonpoint source stormwater and land use practices proposed in the strategy.
Summary of comments: Again, there were very few, practice-specific comments made concerning the James strategy. Several referenced the need for more emphasis on low impact development.

Changes made to the strategy: As mentioned under question #1, these strategies do call for a higher number of stream bank restorations and reconstructions, tree plantings and wetland restorations than did the drafts. These strategies now include a nonpoint source implementation plan that focuses on seven different program areas. The need to expand and assist low impact development efforts is included in three of the seven program plans (Stormwater, Erosion and Sediment Control, Chesapeake Bay Preservation).

4. Level of treatment at wastewater treatment plants or other point source treatments proposed in the strategy.

Summary of Comments: Eight specific comments were received concerning wastewater treatment plants. Several dealt with cost effectiveness of upgrades and cost estimates. Others questioned specific flow estimates. Several dealt with the impacts capping wastewater capacity would have on future growth. These and other comments were also received concerning strategies in other basins.

Changes made to the strategy: The original drafts presented an approach for point source nutrient reduction that took into consideration several factors such as:

- equity among significant dischargers
- feasibility of implementing nutrient control technology
- the magnitude of point source nutrient loads from various Bay watershed regions
- the 'delivery' of loads from above the fall line
- cost-effectiveness of controls
- unique conditions at several facilities (e.g., high-strength influent, combined sewers)

As a result, varying concentration levels for effluent total nitrogen and total phosphorus were proposed across the tributary basins, coupled with projected wastewater flows for the year 2010. Numerous comments were received about the use of 2010 flow projections, raising concerns about the accuracy of predictions and potential loss of existing design capacity in order to maintain waste load allocations in the future.

In August 2004, the Secretary of Natural Resources issued a statement on revisions to the draft strategies regarding point source controls. A set of "Guiding Principals" were included, which have now been applied as the basis to set annual waste load allocations for the significant nutrient discharges in the Bay watershed, and constitute the implementation plan for the point source elements of Virginia's Tributary Strategies. These guiding principles and a full discussion of point source controls can be found in Section IV and Appendix A of this document.

5. Implementation strategies including changes in state law, policy, authority and/or statutes.

Summary of comments: Eight comments were received that either proposed law changes or commented on the effectiveness of existing policies. Comments called for laws restricting cattle from entering streams, stronger regulations on biosolids and commercial fertilizer use, mandatory low impact development and the establishment of stormwater utilities with the money going to funding low impact development retrofits. Comments also called for more local authority on water quality matters and phosphorus based nutrient management plans. One also stated that voluntary incentives were not working.

Changes made to the strategy: As written the strategies realize that a mix of voluntary and regulatory actions will be needed to meet the goals of the strategies. Most elements of the implementation plans for nonpoint source efforts provide a timeframe for reviewing progress being made with voluntary incentives and deciding if other measures are needed. As mentioned earlier, low impact development practices are featured prominently in the nonpoint source implementation section, as is the need to develop phosphorus based nutrient management measures.

6. Funding and potential funding options needed to implement the strategy.

Summary of comments: Most persons commenting referenced the need for additional funding. Several comments suggested including results of cost-benefit analyses.

Changes made to the strategy: The development of Virginia's tributary strategies are seen as a necessary early step in the process of pursuing additional funding. The strategy gives more detailed cost estimates and also highlights the work being done by the Chesapeake Bay Blue Ribbon Panel in examining potential funding sources.

7. Additional efforts to accommodate future growth while maintaining or "capping" the nutrient and sediment allocations.

Summary of comments: There were five comments dealing with future growth and "capping" issues. For the most part those commenting felt the drafts as written did not provide for future growth, particularly in dealing with wastewater treatment. There were also comments in support of point source trading and basin wide treatment permits.

Changes made to the strategy: The Commonwealth's point source approach has been revised significantly since the drafts were released. These changes, including issues of future growth, allowing for nutrient trading and other point source issues are addressed in Secretary Murphy's August 2004 statement of point sources. A discussion of these changes can be found in Section IV and Secretary Murphy's entire statement is found in Appendix A.

8. Information or initiatives not currently in the drafts.

Summary of comments: There were ten comments made about information or initiatives not found in the drafts. Far and away the most comments concerned the lack of an implementation plan and timetable in the drafts.

Changes made to the strategy: Section IV of this document is devoted to outlining point source and nonpoint source implementation efforts.

9. Other general comments

Summary of comments: Additional comments received dealt with a variety of subjects such as the readability of the document, concerns over air deposition of nitrogen, doubts about the accuracy of the watershed and water quality models, and suggestions that the James River Goals document, released in 2000, remains sufficient to address the new allocations.

Changes made to the strategy: All comments were reviewed and considered. Efforts have been made to clarify information in these technical documents, to make charts and graphs clearer and better labeled. Glossaries of terms, abbreviations and BMP descriptions have also been included. Air deposition is not addressed in the state tributary strategies. Air-related loads were assigned to the U.S. EPA. The strategies also address the need to better track the installation of agricultural, urban and suburban BMPs to allow greater confidence in calculated load reductions. This will allow the state to provide the CBP with better information to increase the accuracy of their models.

Appendix F: BMP Efficiencies

Chesapeake Bay Program Phase 4.3 Watershed Model Nonpoint Source BMPs (12/22/03)							
Agricultural BMPs	**Landuse Applied To or Landuse Conversion**	**Reporting Units * see note 5**	**How Credited**	**TN Efficiency**	**TP Efficiency**	**SED Efficiency**	**Status for Strategy Development**
Conservation Tillage	Conventional-Till to Conservation-Till	Annual/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Riparian Forest Buffers (Agriculture) Efficiencies vary according to the following hydrologic settings	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres	Landuse Conversion + Efficiency				Revision Approved For Use 10/03
Inner Coastal Plain	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		85%	70%	70%	Revision Approved For Use 10/03
Outer Coastal Plain – Well Drained	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		40%	75%	75%	Revision Approved For Use 10/03
Outer Coastal Plain – Poorly Drained	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		70%	65%	65%	Revision Approved For Use 10/03
Tidal Influenced	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		25%	75%	75%	Revision Approved For Use 10/03
Piedmont	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		60%	60%	60%	Revision Approved For Use 10/03
Valley & Ridge – Marble/Limestone	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		45%	50%	50%	Revision Approved For Use 10/03
Valley & Ridge – Sandstone/Shale/Crystalline	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		55%	65%	65%	Revision Approved For Use 10/03
Appalachian Plateau	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		25%	50%	50%	Revision Approved For Use 10/03
Riparian Grass Buffers (Agriculture)	Conventional-Till, Conservation-Till, (Pasture) to Mixed Open	Cumulative/Acres	Landuse Conversion + Efficiency	43%	53%	53%	Revised efficiencies (variable by hydrophysiographic region) will be reviewed by TSWG
Wetland Restoration (Agriculture) Efficiencies vary according to the following hydrologic settings	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres	Currently Solely Landuse Conversion				Revision Approved For Use 10/03
Inner Coastal Plain	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		85%	70%	70%	Revision Approved For Use 10/03
Outer Coastal Plain – Well Drained	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		40%	75%	75%	Revision Approved For Use 10/03
Outer Coastal Plain – Poorly Drained	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		70%	65%	65%	Revision Approved For Use 10/03
Tidal Influenced	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		25%	75%	75%	Revision Approved For Use 10/03
Piedmont	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		60%	60%	60%	Revision Approved For Use 10/03
Valley & Ridge – Marble/Limestone	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		45%	50%	50%	Revision Approved For Use 10/03
Valley & Ridge – Sandstone/Shale/Crystalline	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		55%	65%	65%	Revision Approved For Use 10/03
Appalachian Plateau	Conventional-Till, Conservation-Till, Hay, (Pasture) to Forest	Cumulative/Acres		25%	50%	50%	Revision Approved For Use 10/03
Land Retirement (Agriculture)	Conventional-Till,	Cumulative/Acres	Landuse	N/A	N/A	N/A	Final

	Conservation-Till, (Pasture) to Mixed Open		Conversion				
Tree Planting (Row Crop)	Conventional-Till, Conservation-Till to Forest	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Nutrient Management Plan Implementation (Crop) *see note 1	Conventional-Till, Conservation-Till, Hay	Cumulative/Acres	Built into Simulation	135%	135%	N/A	Revision Approved For Use 10/03
Cover Crops							
Cereal Cover Crops							
Conventional-Till *see note 3	Conventional-Till	Annual/Acres	Efficiency	45%/30%	15%/7%	20%/10%	Revision Approved For Use 10/03
Conservation-Till *see note 3	Conservation-Till	Annual/Acres	Efficiency	45%/30%	0%	0%	Revision Approved For Use 10/03
Commodity Cereal Cover Crops							
Conventional-Till *see note 3	Conventional-Till	Annual/Acres	Efficiency	25%/17%	0%	0%	Revision Approved For Use 10/03
Conservation-Till *see note 3	Conservation-Till	Annual/Acres	Efficiency	25%/17%	0%	0%	Revision Approved For Use 10/03
Conservation Plans							
Conventional-Till	Conventional-Till	Cumulative/Acres	Efficiency	8%	15%	25%	Revision Approved For Use 10/03
Conservation-Till	Conservation-Till	Cumulative/Acres	Efficiency	3%	5%	8%	Revision Approved For Use 10/03
Hay	Hay	Cumulative/Acres	Efficiency	3%	5%	8%	Revision Approved For Use 10/03
Pasture	Pasture	Cumulative/Acres	Efficiency	5%	10%	14%	Revision Approved For Use 10/03
Animal Waste Management Systems Reported by the Following Categories:							
Livestock Systems – Designate types of systems with associations to the number of Animal Units and types of animals each system is handling	Manure Acre	systems	Efficiency	75%	75%	N/A	Revision Approved For Use 10/03
Poultry Systems – Designate types of systems with associations to the number of Animal Units and types of animals each system is handling	Manure Acre	systems	Efficiency	14%	14%	N/A	Revision Approved For Use 10/03
Barnyard Runoff Control - Designate types of runoff controls with associations to the number of Animal Units and types of animals number of Animal Units and types	Manure Acre = 1 system treats waste from 145 AUs	systems	Efficiency	10% Supp./20%	10% Supp./20%	40%	Revision Approved For Use 10/03
of animals each system is handling	Manure Phosphorus Available For Runoff or Application	_	_	N/A	16.26%	N/A	Revision Approved For Use 10/03
Yield Reserve	Cropland/Hayland	Annual/Acres	_	Application Reduction Below Nutrient Management	15% Below Nutrient Management Plans	N/A	Revision Approved For Use 10/03
Alternative Uses of Manure / Manure Transport	lbs of TN/TP removed between model segment (watershed)	Annual/Acres	Built Into Preprocessor				
Stream protection with fencing with off stream watering	Pasture	Cumulative/Acres Linear Feet	Efficiency	60%	60%	75%	Revision Approved For Use 10/03
Off stream watering in pasture without fencing	Pasture	Cumulative/Acres	Efficiency	30%	30%	38%	Revision Approved For Use 10/03
Off stream watering with stream fencing and rotational grazing (pasture)	Pasture	Cumulative/Acres	Efficiency	20%	20%	40%	Revision Approved For Use 10/03

Urban and Mixed Open BMPs	Landuse Applied To or Landuse Conversion	Reporting Units	How Credited	TN Efficiency	TP Efficiency	SED Efficiency	Status for Strategy Development
Stormwater Management Reported by the Following Categories:							
Wet Ponds and Wetlands	Pervious and Impervious Urban	Cumulative/Acres	Efficiency	30%	50%	80%	Final
Dry Detention Ponds and Hydrodynamic Structures	Pervious and Impervious Urban	Cumulative/Acres	Efficiency	5%	10%	10%	Final
Dry Extended Detention Ponds	Pervious and Impervious Urban	Cumulative/Acres	Efficiency	30%	20%	60%	Final
Infiltration Practices	Pervious and Impervious Urban	Cumulative/Acres	Efficiency	50%	70%	90%	Final
Filtering Practices	Pervious and Impervious Urban	Cumulative/Acres	Efficiency	40%	60%	85%	Final
Impervious Surface Reduction / Non-Structural Practices	Impervious Urban to Pervious Urban	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Stream Restoration	Pervious and Impervious Urban	Cumulative/Linear Ft.	Load Reduction	0.02 lbs/ft	0.0035 lbs/ft	2.55 lbs/ft	Final
Erosion and Sediment Control	Pervious and Impervious Urban	Annual/Acres	Efficiency	33%	50%	50%	Final
Nutrient Management (Urban)	Pervious Urban	Cumulative/Acres	Efficiency	17%	22%	N/A	Final
Forest Conservation (Urban)	Pervious Urban, Mixed Open to Forest	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Built Into Landuse Projections
Riparian Forest Buffers (Urban)	Pervious Urban to Forest	acres	Landuse Conversion + Efficiency	25%	50%	50%	Revised efficiencies will be reviewed by Forestry WG
Riparian Forest Buffers (Mixed Open)	Mixed Open to Forest	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Tree Planting (Mixed Open)	Mixed Open to Forest	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Tree Planting (Urban)	Pervious Urban to Forest	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Nutrient Management (Mixed Open)	Mixed Open	Cumulative/Acres	Efficiency	17%	22%	N/A	Final
Abandoned Mine Reclamation	Exposed (Pervious and Impervious Urban) to Mixed Open	Cumulative/Acres	Landuse Conversion	N/A	N/A	N/A	Final
Resource BMPs	**Landuse Applied To**	**Reporting Units**	**How Credited**	**TN Efficiency**	**TP Efficiency**	**SED Efficiency**	**Status for Strategy Development**
Forest Harvesting Practices	Forest	Cumulative/Acres	Efficiency	50%	50%	50%	Final
Structural Tidal Shoreline Erosion Control	N/A	linear feet and N, P, and SED Reduction	Water Quality Model	N/A	N/A	N/A	Final
Non-Structural Tidal Shoreline Erosion Control	N/A	linear feet and N, P, and SED Reduction	Water Quality Model	N/A	N/A	N/A	Final
Septic BMPs	**Applied To**	**Reporting Units**	**How Credited**	**TN Efficiency**	**TP Efficiency**	**SED Efficiency**	**Status for Strategy Development**
Septic Connections/Hookups	septic systems	systems	Removal of Systems	N/A	N/A	N/A	Final
Septic Denitrification	septic systems	systems	Efficiency	50%	N/A	N/A	Final
Septic Pumping	septic systems	systems	Efficiency	5%	N/A	N/A	Final

* Note 1: % equals max level of nutrient (n/p) application to crops.
* Note 2: This list does not include municipal or industrial point source BMPs
* Note 3: Cover Crops have two planting windows with associated efficiencies; Early%/Late%
Early: Up to 7 days prior tp published first frost date.
Late: Up to 7 days after published first frost date.
* Note 4: Barn Yard runoff controls for operator where manure storage facilities exist
Barn Yard runoff control for operators where facility is not built (contain daily haul/field storage)
* Note 5: Cumulative – The total acres/linear feet of a BMP installed during an entire period.
Annual – The amount of a BMP installed/implemented for that year only.

Appendix G: Public Involvement Process Overview

Upper James

Initial team strategy development

The Upper James Team targeted a level of effort commensurate to a calculated average of the Chesapeake Bay Program Tier 2 and Tier 3, as applied to the Chesapeake Bay Program's projection of urban land uses in 2010.

In keeping with the necessary emphasis on reductions on urban land, the initial strategy for the Upper James proposed that erosion and sediment control be applied to 100 percent of available urban land and urban nutrient management be applied to 55 percent of available urban land by the year 2010. Urban nutrient management involves the reduction of fertilizer to turf grass areas including home lawns, business, and public lands, such as parks, playing fields, school campuses, and rights of ways.

In addition, the initial strategy proposed that stormwater management practices be applied to 12 percent of all urban land by the year 2010. Stormwater management involves the installation of ponds, infiltration swales, and rain gardens (bioretention areas) to capture and temporarily store runoff from developed areas to filter out nutrients, sediment, and other pollutants. Other practices proposed for reducing nutrients and sediment from urban land include the creation of forested and grass buffers along streams, and regular septic system pumpouts. Additional opportunities for nutrient reductions exist through the connection of septic systems to wastewater treatment facilities, and the installation of septic denitrification systems.

While the strategy does place a significant new focus on urban land, continued efforts on agricultural land promises to yield substantial nutrient and sediment reductions as well. The Agricultural/Forestry Working Group utilized past implementation trends and forecasted potential future implementation as applied to local land use knowledge and the Chesapeake Bay Program's projection of agriculture and forestry land uses in 2010.

The initial strategy placed emphasis on the implementation of nutrient management plans, farm plans, conservation tillage and cover crops for both nutrient and sediment reduction. Nutrient management plan implementation provides optimum use of nutrients to maintain yield while minimizing nutrient loss. Farm plan implementation focuses on the reduction of sediment loss from highly erodible land. Conservation tillage and cover crops reduce soil and nutrient losses on cropland.

Increasing grazing land protection, stream protection and riparian buffers were also considered very important to meeting goals. These practices feature stream-buffering components that greatly reduce sediment and nutrient losses. However, the frequency of flash flooding in the watershed makes stream fencing problematic for many landowners. Animal waste management systems are already a popular practice in the watershed. Animal waste management systems provide facilities for the storage and handling of

livestock and poultry waste and the control of surface runoff water. The working group did not anticipate a great increase in this practice unless the number of confined feeding operations in the watershed greatly expands.
The table below lists the meetings conducted on behalf of the Upper James River watershed tributary strategy revision process.

Date	Location
August 5th, 2003	VMI, Lexington
September 25th, 2003	Rockbridge Regional Library, Lexington
October 23rd, 2003	Virginia Horse Center, Lexington
November 20th, 2003	Rockbridge Baths Volunteer Fire Department
December 18th, 2003	Rockbridge Baths Volunteer Fire Department
February 19th, 2003	Buena Vista Municipal Building
April 13th (James basin-wide meeting)	VA Dept. of Forestry Building, Charlottesville

Participating stakeholders in the Upper James River strategy development efforts:
Localities:
Highland County
Bath County
City of Lexington
Augusta County
Craig County
Hot Springs Sewage Treatment Plant
Covington Sewage Treatment Plant
Alleghany County
Botetourt County
City of Buena Vista
Buena Vista Sewage Treatment Plant
Rockbridge County
Clifton Forge Sewage Treatment Plant
Lexington-Rockbridge Regional WQCF

Business and Non Profit Organizations:
Environmental System Services-Clifton Forge
Lee's Commercial Carpet/ Burlington Industries
Maury River Watershed Steering Committee
Upper James Roundtable
Canaan Valley Institute
Mead-Westvaco
Stearns & Wheeler
Cowpasture River Association
James River Association
Regional Organizations:
Bath/Highland Farm Bureau
Alleghany Farm Bureau
Rockbridge Farm Bureau
Mountain Castles Soil and Water Conservation District

Mountain Soil and Water Conservation District
Central Shenandoah Planning District Commission
Headwaters Soil and Water Conservation District
Natural Bridge Soil and Water Conservation District
Roanoke Planning District Commission
Virginia Rural Water Association

<u>Federal and State Agencies:</u>
Department of Environmental Quality
Virginia Department of Game and Inland Fisheries
Virginia Department of Health
Virginia Cooperative Extension
Virginia Department of Forestry
U.S. Natural Resources Conservation Service

Middle James

The Middle James River watershed tributary strategy revision process began with the kickoff meeting held on June 25, 2003 in Buckingham County. This meeting was to update current and new stakeholders in the region about the statewide and local tributary strategy revision process, and to reestablish a team of watershed stakeholders to develop and revise previous tributary strategy goal documents. State agency staff discussed Virginia's commitment to water quality, restoring water quality in the Chesapeake Bay and its tributaries, the local affects from the tributary strategies, and future activities to ensure local input on how to meet the new goals set by the multi-jurisdictional Chesapeake Bay Program.

The meeting was well attended by stakeholders from around the watershed and consisted of federal, state, and local government representatives, citizens, the Piedmont James River Roundtable, and other watershed organizations. Following the information session, the meeting served as an open forum for the approximately forty participants to voice their questions and concerns.

The formation of the Middle James River watershed tributary strategy team was based on a voluntary sign-up process. At the conclusion of the June kickoff meeting, attendees were asked to provide contact information if they were interested in participating in the revision process. The collection of names were considered the new team members, however, membership was open throughout the process.

The table below lists the meetings conducted on behalf of the Middle James River watershed tributary strategy revision process.

Date	Location
June 25, 2003	Buckingham County (Buckingham County High School)
August 22, 2003	Henrico County (DEQ – Piedmont Regional Office)
September 4, 2003	City of Charlottesville Thomas Jefferson Planning District Commission (not a regular team meeting)
October 15, 2003	Henrico County (County Administration Building)
November 14, 2003	Conference Call (Nonpoint Source Workgroup)
November 25, 2003	Conference Call (Nonpoint Source Workgroup)
November 17, 2003	Conference Call (Point Source Workgroup)
December 17, 2003	Amelia County (Hamner Public Library)
January 13, 2004	City of Richmond (Richmond Regional Planning District Commission)
April 13th (James basin-wide meeting)	VA Dept. of Forestry (Charlottesville)

Participating stakeholders in the Middle James River strategy development efforts:
<u>Localities</u>:
Albemarle County
Buckingham County
Chesterfield County
Hanover County
Henrico County
Nelson County
Prince Edward County
Prince George County
City of Charlottesville
City of Hopewell
City of Richmond

<u>Regional Organizations</u>:
Crater Planning District Commission
Hanover-Caroline Soil & Water Conservation District
Henricopolis Soil & Water Conservation District
Hopewell Regional Wastewater Treatment Facility
James River Soil & Water Conservation District
Monacan Soil & Water Conservation District
Richmond Regional Planning District Commission
Rivanna Water & Sewer Authority

South Central Wastewater Authority
Thomas Jefferson Planning District Commission
Thomas Jefferson Soil & Water Conservation District
Virginia Association of Counties
Virginia Association of Municipal Wastewater Agencies
Virginia Forestry Association
Virginia Poultry Federation

<u>Business and Non Profit Organizations</u>:
Friends of Chesterfield's Riverfront
Friends of Rockfish Watershed

Friends of the Appomattox
James River Association

BWX Technologies
Dominion Resources
DuPont Teijin Films
Hancock Forest Management
Honeywell - Hopewell
Greeley & Hansen
Greif, Inc.
O'Brien & Gere Engineering
Philip Morris
Resource Management Service, Inc.

Federal and State Agencies:
Chesapeake Bay Local Assistance Department
Virginia Department of Conservation & Recreation
Virginia Department of Environmental Quality
Virginia Department of Forestry
Virginia Department of Transportation

Lower James

Participating stakeholders in the Lower James River strategy development efforts:

Localities

City of Chesapeake	City of Williamsburg
City of Hampton	County of Gloucester
City of Newport News	County of Isle of Wight
City of Norfolk	County of James City
City of Poquoson	County of Surry
City of Portsmouth	County of York
City of Suffolk	Town of Franklin
City of Virginia Beach	Town of Smithfield
City of Virginia Beach- Dept of Ag	

Regional Organizations

Hampton Roads PDC	SWCD - Colonial
Middle Peninsula PDC	SWCD - Colonial
Richmond Regional PDC	SWCD - Colonial
Crater PDC	SWCD – James River
Middle Peninsula PDC	SWCD- VA Dare

Richmond Regional PDC
Hampton Roads Sanitation District
SPSA

Business and Non Profit Organizations

Elizabeth River Project
Friends of Powhatan Creek
Friends of Scott's Creek
Chesapeake Bay Foundation
Surf Riders Foundation
Isle of Wight Citizens
James River Association
Sierra Club
York Watershed Council
Moffit & Nichols
CH2MHill

Federal and State Agencies

U.S. EPA
U.S. Fish and Wildlife
U.S. Navy
U.S. NRCS
Virginia CBLAD
Virginia DCR
Virginia DEQ
Virginia Institute for Marine Science
Virginia DOT – Hampton Roads District

Stakeholder participation during this revision process involved several public meetings and workgroup meetings. The revision-meeting schedule was as follows:

August 7, 2003
Kick Off Meeting
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA

October 2, 2003
Tributary Team Meeting/Roundtable Meeting
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA

October 31, 2003
BMP Workgroup Meetings
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA

November 6, 2003
Tributary Team Meeting/Roundtable Meeting
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA

November 24, 2003
BMP Workgroup Meetings
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA

December 9, 2003
BMP Workgroup Meetings

Hampton Roads Planning District Commission- Board Room
Chesapeake, VA
December 18, 2003
Tributary Team Meeting/Roundtable Meeting
Newport News Public Library – Main Street
Newport News, VA
January 15, 2004
Tributary Team Meeting/Roundtable Meeting
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA
February 27, 2004
Tributary Team Meeting/Roundtable Meeting
Hampton Roads Planning District Commission- Board Room
Chesapeake, VA
April 19, 2003
Public Informational Meeting
Williamsburg, VA

Tributary Strategy Team Perspectives:

Upper James

The Upper James tributary strategy team has had a generally positive attitude throughout the tributary strategy revision process. Those participants that attended meetings on a regular basis are hopeful that the James tributary strategy will lead to positive outcomes. There is, however, a great deal of concern with the cost, practicality, equity and fairness in the implementation phase of the strategy.

The tributary strategy process has been viewed as an opportunity to allow local stakeholders an opportunity to identify areas of concern and how, theoretically, to manage these areas. All members of the team know that public education will be crucial for success.

The main stakeholder issues or concerns for the Upper James include availability of funding, equity between regulated point sources and non-regulated nonpoint sources, accurate tracking of implemented best management practices by various agencies, and the accuracy of the Chesapeake Bay Watershed Model and Scenario Builder.

Middle James

The Middle James tributary strategy team was dominated by conversations of point source allocations and the equity between point and nonpoint source reduction responsibility. The group was generally resistant to participating in the actual revision process, however, there were a handful of participants that did provide insight and information regarding best management practices for forestry and agricultural lands.

The main issues discussed by the team were those of funding, equity, and responsibility for implementing the tributary strategy.

Lower James

During the strategy revision process, the Hampton Roads Planning Commission hosted a series of Lower James River Roundtable meetings where extensive local input was provided. The following considerations were proposed by the stakeholder group in an effort to sufficiently address the concerns with implementing the new strategy.

Flexibility of implementation: The levels of implementation and associated Best Management Practices (BMPs) proposed in the tributary strategy are designed to reflect what is necessary to meet the goals under current capabilities, with existing BMPs in the Bay Model. These do not reflect the realities in 2010 or the technologies identified up to that time. In fact it is probable new, more efficient and cost effective BMPs will be identified before 2010. Consequently, when new BMPs or implementation strategies are identified, they will be inserted in place of the less efficient, more costly BMPs currently identified to achieve the prescribed goals.

Resources for Implementation: The proposed level of implementation and associated BMPs, as well as prospective BMPs and strategies requires new resources. What is presented in the 2003 progress run represents near maximum capacity of implementation for the above implementers with existing resources. In order to reach the prescribed 2010 goals, significant financial, technical, political and personnel resources will need to be identified and provided to the implementers both in the short term and the long-term. It should also be noted that the continued maintenance of existing BMPs and assuring continuance of current progress would require a secure level of funding.

Trading: While the strategy outlines levels of implementation for BMPs within specified geographic regions, it is anticipated the nutrient trading within the sub-basins will be employed to achieve the prescribed goals and therefore the specified quantities of BMPs will likely shift as we progress towards the goal.

Capping: Once the 2010 goal has been achieved, additional strategies will be required and re-assessed to maintain the goal and continued to improve the health of the bay and it tributaries. The considerations of growth, land use transition and maintenance of existing BMPs are all significant factors to maintaining the goals. It is anticipated that this effort will rely heavily on trading and the implementation of new and more efficient technologies.

Federal Facilities: Due to the nature of the operations on many of the federal facilities within the watershed, it is commonly not feasible to comprehensively catalog the existing BMPs on site. Further, it is beyond the reasonable scope of authority of a state led initiative to propose conservation activity on said facilities. Consequently, it is recommended that the federal government require implementation strategies on each of its facilities that are consistent with the efforts underway in the host locality.

Appendix H: James River Watershed Population (Past, Present, Future)

LOCALITY	POP1980	POP1990	POP2000	2010 PROJECTIONS*	% POP CHANGE
Albemarle	55783	68040	84186	97200	15.45
Amelia	8405	8787	11400	13400	17.54
Amherst	29122	28578	31894	32900	3.15
Appomattox	11971	12298	13705	14700	7.26
	34927	45656	60371	69400	14.95
Buckingham	11751	12873	15623	17001	8.82
Campbell	45424	47572	51078	53600	4.93
Charles City	6692	6282	6926	7400	6.84
Charlottesville	39916	40341	40099	39600	-1.24
Chesterfield	141372	209274	259903	316000	21.58
Colonial Heights	16509	16064	16897	17200	1.79
Cumberland	7881	7825	9017	10100	12.01
Dinwiddie	22602	20960	24533	26300	7.20
Fluvanna	10244	12429	20047	28100	40.17
Goochland	11761	14163	16863	21400	26.90
Greene	7625	10297	15244	19500	27.91
Hanover	50398	63306	86320	106001	22.80
Henrico	180735	217881	262300	301000	14.75
Hopewell	23397	23101	22277	21700	-2.59
Louisa	17825	20325	25627	29100	13.55
Lynchburg	66743	66049	65269	65300	0.04
Nelson	12204	12778	14445	15100	4.53
New Kent	8781	10445	13462	16200	20.33
Nottoway	14666	14993	15725	15700	-0.15
Orange	18063	21421	25881	30000	15.91
Petersburg	41055	38386	33740	30400	-9.89
Powhatan	13062	15328	22377	29900	33.61
Prince Edward	16456	17320	19720	22500	14.09
Prince George	25733	27394	33124	36000	8.68
Richmond City	219214	203056	197790	191600	-3.12

U.S. CENSUS	1980	1990	2000	2010 PROJECTIONS*	% POP CHANGE
TOTAL	1170317	1313222	1515843	1694302	11.77

* Virginia Employment Commission projections

Appendix I: Virginia Chesapeake Bay Watershed Model Segments Map